

STATE OF MINNESOTA

EIGHTY-FIFTH SESSION — 2007

 TWENTY-SIXTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, MARCH 8, 2007

The House of Representatives convened at 10:00 a.m. and was called to order by Margaret Anderson Kelliher, Speaker of the House.

Prayer was offered by the Reverend Julie Malone, Trinity Lutheran Church, Owatonna, Minnesota.

The members of the House gave the pledge of allegiance to the flag of the United States of America.

The roll was called and the following members were present:

| | | | | | |
|--------------|-----------|------------|------------|--------------|---------------|
| Abeler | Dill | Heidgerken | Lesch | Otremba | Slocum |
| Anderson, B. | Dittrich | Hilstrom | Liebling | Ozment | Smith |
| Anderson, S. | Dominguez | Hilty | Lieder | Paulsen | Solberg |
| Anzelc | Doty | Holberg | Lillie | Paymar | Sviggum |
| Atkins | Eastlund | Hoppe | Loeffler | Pelowski | Swails |
| Beard | Eken | Hornstein | Madore | Peppin | Thao |
| Benson | Emmer | Hortman | Magnus | Peterson, A. | Thissen |
| Berns | Erhardt | Hosch | Mahoney | Peterson, N. | Tillberry |
| Bigham | Erickson | Howes | Mariani | Peterson, S. | Tingelstad |
| Bly | Faust | Huntley | Marquart | Poppe | Tschumper |
| Brod | Finstad | Jaros | Masin | Rukavina | Urdahl |
| Brown | Fritz | Johnson | McFarlane | Ruth | Wagenius |
| Brynaert | Gardner | Juhnke | McNamara | Ruud | Walker |
| Bunn | Garofalo | Kahn | Moe | Sailer | Ward |
| Carlson | Gottwalt | Kalin | Morgan | Scalze | Wardlow |
| Clark | Greiling | Knuth | Morrow | Seifert | Welti |
| Cornish | Gunther | Koenen | Mullery | Sertich | Westrom |
| Davnie | Hackbarth | Kohls | Murphy, E. | Severson | Winkler |
| Dean | Hamilton | Kranz | Murphy, M. | Shimanski | Wollschlager |
| DeLaForest | Hansen | Laine | Nelson | Simon | Zellers |
| Demmer | Hausman | Lanning | Norton | Simpson | Spk. Kelliher |
| Dettmer | Haws | Lenczewski | Olin | Slawik | |

A quorum was present.

Olson was excused.

Buesgens and Nornes were excused until 6:00 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Murphy, E., moved that further reading of the Journal be suspended and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

S. F. No. 60 and H. F. No. 163, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Huntley moved that the rules be so far suspended that S. F. No. 60 be substituted for H. F. No. 163 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES AND DIVISIONS

Atkins from the Committee on Commerce and Labor to which was referred:

H. F. No. 111, A bill for an act relating to health; promoting preventive health care by requiring high deductible health plans used with a health savings account to cover preventive care with no deductible as permitted by federal law; amending Minnesota Statutes 2006, section 62Q.65.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2006, section 62Q.65, is amended to read:

62Q.65 ACCESS TO PROVIDER DISCOUNTS AND PREVENTIVE CARE.

Subdivision 1. **Requirement.** A high deductible health plan must, when used in connection with a medical savings account or health savings account;

(1) provide the enrollee access to any discounted provider fees for services covered by the high deductible health plan, regardless of whether the enrollee has satisfied the deductible for the high deductible health plan; and

(2) cover preventive care without a deductible, co-payment, or other patient cost-sharing, provided, however, that this requirement does not apply to care that is not permitted to be provided without a deductible by a high deductible health plan under Internal Revenue Code of 1986, section 223(c)(2)(C), and federal regulations adopted or guidance issued by the Internal Revenue Service related to that provision. The scope and frequency of such coverage must be detailed in the policy in accordance with, or by reference to, an evidence-based set of preventive care guidelines that addresses recommendations for both asymptomatic low-risk individuals and individuals with higher risk factors. Nothing in this subdivision limits voluntary coverage of other preventive care.

Subd. 2. **Definitions.** For purposes of this section, the following terms have the meanings given:

(1) "high deductible health plan" has the meaning given under the Internal Revenue Code of 1986, section 220(c)(2), with respect to a medical savings account; and the meaning given under Internal Revenue Code of 1986, section 223(c)(2), with respect to a health savings account;

(2) "medical savings account" has the meaning given under the Internal Revenue Code of 1986, section 220(d)(1);

(3) "discounted provider fees" means fees contained in a provider agreement entered into by the issuer of the high deductible health plan, or an affiliate of the issuer, for use in connection with the high deductible health plan; ~~and~~

(4) "health savings account" has the meaning given under the Internal Revenue Code of 1986, section 223(d); and

(5) "preventive care" has the meaning given in Internal Revenue Code of 1986, section 223(c)(2)(C).

EFFECTIVE DATE. This section is effective January 1, 2008, and applies to high deductible health plans offered, sold, issued, or renewed on or after that date.

With the recommendation that when so amended the bill pass.

The report was adopted.

Mullery from the Committee on Public Safety and Civil Justice to which was referred:

H. F. No. 230, A bill for an act relating to crime; amending the predatory offender registration law for other offenses; amending Minnesota Statutes 2006, section 243.167, subdivision 1.

Reported the same back with the following amendments:

Page 1, line 14, delete everything after "applies" and insert "retroactively to crimes committed on or after August 1, 2005."

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Clark from the Housing Policy and Finance and Public Health Finance Division to which was referred:

H. F. No. 277, A bill for an act relating to building codes; requiring window screens in certain residential dwellings to comply with safety standards; proposing coding for new law in Minnesota Statutes, chapter 16B.

Reported the same back with the following amendments:

Page 1, lines 19 and 22, delete "2008" and insert "2009"

Page 1, line 24, delete "2009" and insert "2010"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Hilstrom from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 312, A bill for an act relating to metropolitan government; providing for the election of the Metropolitan Council; amending Minnesota Statutes 2006, sections 10A.01, subdivision 10; 10A.09, subdivision 6a; 10A.25, subdivision 2; 10A.27, subdivision 1; 10A.315; 10A.323; 10A.324, subdivision 1; 15.0597, subdivision 1; 204B.06, subdivision 4a; 204B.09, subdivisions 1, 1a; 204B.11; 204B.135, subdivision 2; 204B.32, subdivision 2; 204D.02, subdivision 1; 204D.08, subdivision 6; 204D.27, by adding a subdivision; 209.02, subdivision 1; 211A.01, subdivision 3; 211B.01, subdivision 3; 353D.01, subdivision 2; 375.09, subdivision 1; 473.123, subdivisions 1, 4, 7, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 10A; 204D; 473; repealing Minnesota Statutes 2006, section 473.123, subdivisions 2a, 3, 3a; Laws 1994, chapter 628, article 1, section 8.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2006, section 10A.01, subdivision 10, is amended to read:

Subd. 10. **Candidate.** "Candidate" means an individual who seeks nomination or election as a state constitutional officer, legislator, or judge. An individual is deemed to seek nomination or election if the individual has taken the action necessary under the law of this state to qualify for nomination or election, has received contributions or made expenditures in excess of \$100, or has given implicit or explicit consent for any other person to receive contributions or make expenditures in excess of \$100, for the purpose of bringing about the individual's nomination or election. A candidate remains a candidate until the candidate's principal campaign committee is dissolved as provided in section 10A.24. "Candidate" also means an individual who seeks nomination or election to the Metropolitan Council.

Sec. 2. Minnesota Statutes 2006, section 10A.09, subdivision 6a, is amended to read:

Subd. 6a. **Local officials.** A local official required to file a statement under this section must file it with the governing body of the official's political subdivision, except that a candidate for or member of the Metropolitan Council must file the statement with the board. The governing body must maintain statements filed with it under this subdivision as public data.

Sec. 3. Minnesota Statutes 2006, section 10A.25, subdivision 2, is amended to read:

Subd. 2. **Amounts.** (a) In a year in which an election is held for an office sought by a candidate, the principal campaign committee of the candidate must not make campaign expenditures nor permit approved expenditures to be made on behalf of the candidate that result in aggregate expenditures in excess of the following:

- (1) for governor and lieutenant governor, running together, \$2,393,800;
- (2) for attorney general, \$399,000;
- (3) for secretary of state and state auditor, separately, \$199,500;
- (4) for state senator, \$59,900;
- (5) for state representative, \$30,100; and
- (6) for Metropolitan Council member, \$47,000.

(b) In addition to the amount in paragraph (a), clause (1), a candidate for endorsement for the office of lieutenant governor at the convention of a political party may make campaign expenditures and approved expenditures of five percent of that amount to seek endorsement.

(c) If a special election cycle occurs during a general election cycle, expenditures by or on behalf of a candidate in the special election do not count as expenditures by or on behalf of the candidate in the general election.

(d) The expenditure limits in this subdivision for an office are increased by ten percent for a candidate who is running for that office for the first time and who has not run previously for any other office whose territory now includes a population that is more than one-third of the population in the territory of the new office.

Sec. 4. Minnesota Statutes 2006, section 10A.27, subdivision 1, is amended to read:

Subdivision 1. **Contribution limits.** (a) Except as provided in subdivision 2, a candidate must not permit the candidate's principal campaign committee to accept aggregate contributions made or delivered by any individual, political committee, or political fund in excess of the following:

(1) to candidates for governor and lieutenant governor running together, \$2,000 in an election year for the office sought and \$500 in other years;

(2) to a candidate for attorney general, \$1,000 in an election year for the office sought and \$200 in other years;

(3) to a candidate for the office of secretary of state or state auditor, \$500 in an election year for the office sought and \$100 in other years;

(4) to a candidate for state senator, \$500 in an election year for the office sought and \$100 in other years; and

(5) to a candidate for state representative or Metropolitan Council member, \$500 in an election year for the office sought and \$100 in ~~the other~~ a nonelection year.

(b) The following deliveries are not subject to the bundling limitation in this subdivision:

(1) delivery of contributions collected by a member of the candidate's principal campaign committee, such as a block worker or a volunteer who hosts a fund-raising event, to the committee's treasurer; and

(2) a delivery made by an individual on behalf of the individual's spouse.

(c) A lobbyist, political committee, political party unit, or political fund must not make a contribution a candidate is prohibited from accepting.

Sec. 5. **[10A.313] METROPOLITAN COUNCIL PUBLIC SUBSIDY.**

Subdivision 1. Funding. The Metropolitan Council must provide sufficient money to pay the public subsidy provided for in this section.

Subd. 2. Eligibility. A candidate is eligible to receive a public subsidy in the amount of \$20,000 if the candidate has filed with the board a spending limit agreement under section 10A.322 and an affidavit of contributions under section 10A.323, the candidate was opposed in the primary election or will be opposed in the general election, and the candidate's name will appear on the ballot in the general election.

Subd. 3. **Certification.** Within one week after the last day for filing a spending limit agreement under section 10A.322 and an affidavit of contributions under section 10A.323, the board must certify to the Metropolitan Council the maximum number of candidates eligible to receive the public subsidy if they survive the primary election. Within one week after receiving the certification, the Metropolitan Council must pay the board the amount necessary to fund the public subsidy for that number of candidates. The amount received must be deposited in the state treasury and credited to a Metropolitan Council public subsidy account in the special revenue fund. Money in the fund is appropriated to the board for purposes of the public subsidy program.

Subd. 4. **Payment.** The board shall pay the public subsidy to the eligible candidates as soon as the board has obtained from the secretary of state the results of the primary election but not later than one week after certification by the State Canvassing Board of the results of the primary. Amounts not paid to candidates, or returned by them to the board, must be returned by the board to the Metropolitan Council.

Sec. 6. Minnesota Statutes 2006, section 10A.315, is amended to read:

10A.315 SPECIAL ELECTION SUBSIDY.

Subdivision 1. Legislative office. (a) Each eligible candidate for a legislative office in a special election must be paid a public subsidy equal to the sum of:

(1) the party account money at the last general election for the candidate's party for the office the candidate is seeking; and

(2) the general account money paid to a candidate for the same office at the last general election.

(b) A candidate who wishes to receive this public subsidy must submit a signed agreement under section 10A.322 to the board and must meet the contribution requirements of section 10A.323. The special election subsidy must be distributed in the same manner as money in the party and general accounts is distributed to legislative candidates in a general election.

(c) The amount necessary to make the payments required by this section is appropriated from the general fund to the board.

Subd. 2. Metropolitan Council office. Each eligible candidate for Metropolitan Council office in a special election must be paid a public subsidy equal to the subsidy paid in a general election. To be eligible to receive this public subsidy, a candidate must file a spending limit agreement under section 10A.322 and meet the contribution requirements of section 10A.323, except that the candidate may count contributions received during the two months immediately preceding the special election, other than contributions the candidate has previously included on an affidavit for another election, and the amount required is one-quarter of the amount stated in section 10A.323. To receive the subsidy, the candidate must be opposed in either the primary or the general election. The special election subsidy must be distributed in the same manner as the public subsidy in a general election.

Sec. 7. Minnesota Statutes 2006, section 10A.323, is amended to read:

10A.323 AFFIDAVIT OF CONTRIBUTIONS.

In addition to the requirements of section 10A.322, to be eligible to receive a public subsidy under section 10A.31 a candidate or the candidate's treasurer must file an affidavit with the board stating that during that calendar year the candidate has accumulated contributions from persons eligible to vote in this state in at least the amount indicated for the office sought, counting only the first \$50 received from each contributor:

- (1) candidates for governor and lieutenant governor running together, \$35,000;
- (2) candidates for attorney general, \$15,000;
- (3) candidates for secretary of state and state auditor, separately, \$6,000;
- (4) candidates for the senate, \$3,000; ~~and~~
- (5) candidates for the house of representatives, \$1,500; and
- (6) candidates for the Metropolitan Council, \$2,500.

The affidavit must state the total amount of contributions that have been received from persons eligible to vote in this state, disregarding the portion of any contribution in excess of \$50.

The candidate or the candidate's treasurer must submit the affidavit required by this section to the board in writing by September 1 of the general election year.

A candidate for a vacancy to be filled at a special election for which the filing period does not coincide with the filing period for the general election must submit the affidavit required by this section to the board within five days after filing the affidavit of candidacy.

Sec. 8. Minnesota Statutes 2006, section 10A.324, subdivision 1, is amended to read:

Subdivision 1. **When return required.** A candidate must return all or a portion of the public subsidy received from the state elections campaign fund or the public subsidy received under section 10A.313 or 10A.315, under the circumstances in this section or section 10A.257, subdivision 1.

To the extent that the amount of public subsidy received exceeds the aggregate of: (1) actual expenditures made by the principal campaign committee of the candidate; and (2) approved expenditures made on behalf of the candidate, the treasurer of the candidate's principal campaign committee must return an amount equal to the difference to the board. The cost of postage that was not used during an election cycle and payments that created credit balances at vendors at the close of an election cycle are not considered expenditures for purposes of determining the amount to be returned. Expenditures in excess of the candidate's spending limit do not count in determining aggregate expenditures under this paragraph.

Sec. 9. Minnesota Statutes 2006, section 15.0597, subdivision 1, is amended to read:

Subdivision 1. **Definitions.** As used in this section, the following terms shall have the meanings given them.

(a) "Agency" means (1) a state board, commission, council, committee, authority, task force, including an advisory task force created under section 15.014 or 15.0593, a group created by executive order of the governor, or other similar multimember agency created by law and having statewide jurisdiction; and (2) ~~the Metropolitan Council,~~ a metropolitan agency, Capitol Area Architectural and Planning Board, and any agency with a regional jurisdiction created in this state pursuant to an interstate compact.

(b) "Vacancy" or "vacant agency position" means (1) a vacancy in an existing agency, or (2) a new, unfilled agency position. Vacancy includes a position that is to be filled through appointment of a nonlegislator by a legislator or group of legislators; vacancy does not mean (1) a vacant position on an agency composed exclusively of persons employed by a political subdivision or another agency, or (2) a vacancy to be filled by a person required to have a specific title or position.

(c) "Secretary" means the secretary of state.

Sec. 10. Minnesota Statutes 2006, section 204B.06, subdivision 4a, is amended to read:

Subd. 4a. **State and local offices.** Candidates who seek nomination for the following offices shall state the following additional information on the affidavit:

(1) for governor or lieutenant governor, that on the first Monday of the next January the candidate will be 25 years of age or older and, on the day of the state general election, a resident of Minnesota for not less than one year;

(2) for Supreme Court justice, Court of Appeals judge, or district court judge, that the candidate is learned in the law;

(3) for Metropolitan Council, county, municipal, school district, or special district office, that the candidate meets any other qualifications for that office prescribed by law;

(4) for senator or representative in the legislature, that on the day of the general or special election to fill the office the candidate will have resided not less than one year in the state and not less than six months in the legislative district from which the candidate seeks election.

Sec. 11. Minnesota Statutes 2006, section 204B.09, subdivision 1, is amended to read:

Subdivision 1. **Candidates in state and county general elections.** (a) Except as otherwise provided by this subdivision, affidavits of candidacy and nominating petitions for county, Metropolitan Council, state, and federal offices filled at the state general election shall be filed not more than 70 days nor less than 56 days before the state primary. The affidavit may be prepared and signed at any time between 60 days before the filing period opens and the last day of the filing period.

(b) Notwithstanding other law to the contrary, the affidavit of candidacy must be signed in the presence of a notarial officer or an individual authorized to administer oaths under section 358.10.

(c) This provision does not apply to candidates for presidential elector nominated by major political parties. Major party candidates for presidential elector are certified under section 208.03. Other candidates for presidential electors may file petitions on or before the state primary day pursuant to section 204B.07. Nominating petitions to fill vacancies in nominations shall be filed as provided in section 204B.13. No affidavit or petition shall be accepted later than 5:00 p.m. on the last day for filing.

(d) Affidavits and petitions for offices to be voted on in only one county shall be filed with the county auditor of that county. Affidavits and petitions for offices to be voted on in more than one county shall be filed with the secretary of state.

Sec. 12. Minnesota Statutes 2006, section 204B.09, subdivision 1a, is amended to read:

Subd. 1a. **Absent candidates.** A candidate for special district, county, Metropolitan Council, state, or federal office who will be absent from the state during the filing period may submit a properly executed affidavit of candidacy, the appropriate filing fee, and any necessary petitions in person to the filing officer. The candidate shall state in writing the reason for being unable to submit the affidavit during the filing period. The affidavit, filing fee, and petitions must be submitted to the filing officer during the seven days immediately preceding the candidate's absence from the state. Nominating petitions may be signed during the 14 days immediately preceding the date when the affidavit of candidacy is filed.

Sec. 13. Minnesota Statutes 2006, section 204B.11, is amended to read:

204B.11 CANDIDATES; FILING FEES; PETITION IN PLACE OF FILING FEE.

Subdivision 1. **Amount; dishonored checks; consequences.** Except as provided by subdivision 2, a filing fee shall be paid by each candidate who files an affidavit of candidacy. The fee shall be paid at the time the affidavit is filed. The amount of the filing fee shall vary with the office sought as follows:

(a) for the office of governor, lieutenant governor, attorney general, state auditor, secretary of state, representative in Congress, judge of the Supreme Court, judge of the Court of Appeals, or judge of the district court, \$300;

(b) for the office of senator in Congress, \$400;

(c) for office of senator or representative in the legislature, \$100;

(d) for a Metropolitan Council or county office, \$50; and

(e) for the office of soil and water conservation district supervisor, \$20.

For the office of presidential elector, and for those offices for which no compensation is provided, no filing fee is required.

The filing fees received by the county auditor shall immediately be paid to the county treasurer. The filing fees received by the secretary of state shall immediately be paid to the commissioner of finance.

When an affidavit of candidacy has been filed with the appropriate filing officer and the requisite filing fee has been paid, the filing fee shall not be refunded. If a candidate's filing fee is paid with a check, draft, or similar negotiable instrument for which sufficient funds are not available or that is dishonored, notice to the candidate of the worthless instrument must be sent by the filing officer via registered mail no later than immediately upon the closing of the filing deadline with return receipt requested. The candidate will have five days from the time the filing officer receives proof of receipt to issue a check or other instrument for which sufficient funds are available. The candidate issuing the worthless instrument is liable for a service charge pursuant to section 604.113. If adequate payment is not made, the name of the candidate must not appear on any official ballot and the candidate is liable for all costs incurred by election officials in removing the name from the ballot.

Subd. 2. **Petition in place of filing fee.** At the time of filing an affidavit of candidacy, a candidate may present a petition in place of the filing fee. The petition may be signed by any individual eligible to vote for the candidate. A nominating petition filed pursuant to section 204B.07 or 204B.13, subdivision 4, is effective as a petition in place of a filing fee if the nominating petition includes a prominent statement informing the signers of the petition that it will be used for that purpose.

The number of signatures on a petition in place of a filing fee shall be as follows:

(a) for a state office voted on statewide, or for president of the United States, or United States senator, 2,000;

(b) for a congressional office, 1,000;

(c) for a county, Metropolitan Council, or legislative office, or for the office of district judge, 500; and

(d) for any other office which requires a filing fee as prescribed by law, municipal charter, or ordinance, the lesser of 500 signatures or five percent of the total number of votes cast in the municipality, ward, or other election district at the preceding general election at which that office was on the ballot.

An official with whom petitions are filed shall make sample forms for petitions in place of filing fees available upon request.

Sec. 14. Minnesota Statutes 2006, section 204B.135, subdivision 2, is amended to read:

Subd. 2. **Other election districts.** For purposes of this subdivision, "local government election district" means a county district, park and recreation district, school district, Metropolitan Council district, or soil and water conservation district. Local government election districts, other than city wards covered by subdivision 1, may not be redistricted until precinct boundaries are reestablished under section 204B.14, subdivision 3, paragraph (c). Election districts covered by this subdivision must be redistricted within 80 days of the time when the legislature has been redistricted or at least 15 weeks before the state primary election in the year ending in two, whichever comes first.

Sec. 15. Minnesota Statutes 2006, section 204B.32, subdivision 2, is amended to read:

Subd. 2. **Allocation of election expenses.** The secretary of state shall develop procedures for the allocation of election expenses among counties, municipalities, ~~and~~ school districts, and the Metropolitan Council for elections that are held concurrently. The following expenses must be included in the procedures: salaries of election judges; postage for absentee ballots and applications; preparation of polling places; preparation and testing of electronic voting systems; ballot preparation; publication of election notices and sample ballots; transportation of ballots and election supplies; and compensation for administrative expenses of the county auditor, municipal clerk, or school district clerk.

Sec. 16. Minnesota Statutes 2006, section 204D.02, subdivision 1, is amended to read:

Subdivision 1. **Officers.** All elective state, Metropolitan Council, and county officers, justices of the Supreme Court, judges of the Court of Appeals and district court, state senators and state representatives, and senators and representatives in Congress shall be elected at the state general election held in the year before their terms of office expire. Presidential electors shall be chosen at the state general election held in the year before the expiration of a term of a president of the United States.

Sec. 17. Minnesota Statutes 2006, section 204D.08, subdivision 6, is amended to read:

Subd. 6. **State and county nonpartisan primary ballot.** The state and county nonpartisan primary ballot shall be headed "State and County Nonpartisan Primary Ballot." It shall be printed on canary paper. The names of candidates for nomination to the Supreme Court, Court of Appeals, district court, and all Metropolitan Council and county offices shall be placed on this ballot.

No candidate whose name is placed on the state and county nonpartisan primary ballot shall be designated or identified as the candidate of any political party or in any other manner except as expressly provided by law.

Sec. 18. **[204D.265] VACANCY IN OFFICE OF METROPOLITAN COUNCIL MEMBER.**

Subdivision 1. Election in 30 to 60 days. Except as provided in subdivision 3, a vacancy in the office of Metropolitan Council member must be filled at a special election scheduled by the Metropolitan Council on a date not less than 30 nor more than 60 days after the vacancy occurs. The special primary or special election may be held on the same day as a regular primary or regular election, but the special election must be held not less than 14 days

after the special primary. The person elected at the special election must take office immediately after receipt of the certificate of election and upon taking the oath of office and must serve the remainder of the unexpired term. If the Metropolitan Council districts have been redrawn since the beginning of the term of the vacant office, the election must be based on the district as redrawn.

Subd. 2. **When victor seated immediately.** If a vacancy for which a special election is required occurs less than 60 days before the general election preceding the end of the term, the vacancy must be filled by the person elected at that election for the ensuing term and that person must take office immediately after receiving the certificate of election and taking the oath of office.

Subd. 3. **Inability or refusal to serve.** In addition to when the events specified in section 351.02 happen, a vacancy in the office of Metropolitan Council member may be declared by the Metropolitan Council when a member is unable to serve in the office or attend council meetings for a 90-day period because of illness, or absence from or refusal to attend council meetings for a 90-day period. If any of the conditions described or referred to in this subdivision occur, the council may, after the council by resolution has declared a vacancy to exist, appoint someone to fill the vacancy at a regular or special meeting for the remainder of the unexpired term or until the ill or absent member is again able to resume duties and attend council meetings, whichever is earlier. If the council determines that the original member is again able to resume duties and attend council meetings, the council must say so in a resolution and remove the appointed officeholder and restore the original member to office.

Sec. 19. Minnesota Statutes 2006, section 204D.27, is amended by adding a subdivision to read:

Subd. 12. **Special Metropolitan Council election.** (a) **State Canvassing Board.** Except as provided in subdivision 4, the State Canvassing Board shall complete its canvass of a special election for Metropolitan Council member and declare the results within four days after the returns of the county canvassing boards are certified to the secretary of state, excluding Sundays and legal holidays.

(b) **Election contest.** In case of a contest of a special election for Metropolitan Council member, the notice of contest must be filed within two days after the canvass is completed, excluding Sundays and legal holidays. In other respects, the contest must proceed in the manner provided by law for contesting elections.

(c) **Certificate of election.** A certificate of election in a special election for Metropolitan Council member must be issued by the county auditor or the secretary of state to the individual declared elected by the county or State Canvassing Board two days, excluding Sundays and legal holidays, after the appropriate canvassing board finishes canvassing the returns for the election. In case of a contest, the certificate must not be issued until the district court decides the contest.

Sec. 20. Minnesota Statutes 2006, section 209.02, subdivision 1, is amended to read:

Subdivision 1. **General.** Any eligible voter, including a candidate, may contest in the manner provided in this chapter: (1) the nomination or election of any person for whom the voter had the right to vote if that person is declared nominated or elected to the senate or the house of representatives of the United States, or to a statewide, Metropolitan Council, county, legislative, municipal, school, or district court office; or (2) the declared result of a constitutional amendment or other question voted upon at an election. The contest may be brought over an irregularity in the conduct of an election or canvass of votes, over the question of who received the largest number of votes legally cast, over the number of votes legally cast in favor of or against a question, or on the grounds of deliberate, serious, and material violations of the Minnesota Election Law.

Sec. 21. Minnesota Statutes 2006, section 211A.01, subdivision 3, is amended to read:

Subd. 3. **Candidate.** "Candidate" means an individual who seeks nomination or election to a county, municipal, school district, or other political subdivision office. This definition does not include an individual seeking a judicial office or a seat on the Metropolitan Council. For purposes of sections 211A.01 to 211A.05 and 211A.07, "candidate" also includes a candidate for the United States Senate or House of Representatives.

Sec. 22. Minnesota Statutes 2006, section 211B.01, subdivision 3, is amended to read:

Subd. 3. **Candidate.** "Candidate" means an individual who seeks nomination or election to a federal, statewide, Metropolitan Council, legislative, judicial, or local office including special districts, school districts, towns, home rule charter and statutory cities, and counties, except candidates for president and vice-president of the United States.

Sec. 23. Minnesota Statutes 2006, section 290.06, subdivision 23, is amended to read:

Subd. 23. **Refund of contributions to political parties and candidates.** (a) A taxpayer may claim a refund equal to the amount of the taxpayer's contributions made in the calendar year to candidates and to a political party. The maximum refund for an individual must not exceed \$50 and for a married couple, filing jointly, must not exceed \$100. A refund of a contribution is allowed only if the taxpayer files a form required by the commissioner and attaches to the form a copy of an official refund receipt form issued by the candidate or party and signed by the candidate, the treasurer of the candidate's principal campaign committee, or the chair or treasurer of the party unit, after the contribution was received. The receipt forms must be numbered, and the data on the receipt that are not public must be made available to the campaign finance and public disclosure board upon its request. A claim must be filed with the commissioner no sooner than January 1 of the calendar year in which the contribution was made and no later than April 15 of the calendar year following the calendar year in which the contribution was made. A taxpayer may file only one claim per calendar year. Amounts paid by the commissioner after June 15 of the calendar year following the calendar year in which the contribution was made must include interest at the rate specified in section 270C.405.

(b) No refund is allowed under this subdivision for a contribution to a candidate unless the candidate:

- (1) has signed an agreement to limit campaign expenditures as provided in section 10A.322;
- (2) is seeking an office for which voluntary spending limits are specified in section 10A.25; and
- (3) has designated a principal campaign committee.

This subdivision does not limit the campaign expenditures of a candidate who does not sign an agreement but accepts a contribution for which the contributor improperly claims a refund.

(c) For purposes of this subdivision, "political party" means a major political party as defined in section 200.02, subdivision 7, or a minor political party qualifying for inclusion on the income tax or property tax refund form under section 10A.31, subdivision 3a.

A "major party" or "minor party" includes the aggregate of that party's organization within each house of the legislature, the state party organization, and the party organization within congressional districts, counties, legislative districts, municipalities, and precincts.

"Candidate" means a candidate as defined in section 10A.01, subdivision 10, except a candidate for judicial office or the Metropolitan Council.

"Contribution" means a gift of money.

(d) The commissioner shall make copies of the form available to the public and candidates upon request.

(e) The following data collected or maintained by the commissioner under this subdivision are private: the identities of individuals claiming a refund, the identities of candidates to whom those individuals have made contributions, and the amount of each contribution.

(f) The commissioner shall report to the campaign finance and public disclosure board by each August 1 a summary showing the total number and aggregate amount of political contribution refunds made on behalf of each candidate and each political party. These data are public.

(g) The amount necessary to pay claims for the refund provided in this section is appropriated from the general fund to the commissioner of revenue.

(h) For a taxpayer who files a claim for refund via the Internet or other electronic means, the commissioner may accept the number on the official receipt as documentation that a contribution was made rather than the actual receipt as required by paragraph (a).

Sec. 24. Minnesota Statutes 2006, section 353D.01, subdivision 2, is amended to read:

Subd. 2. **Eligibility.** (a) Eligibility to participate in the defined contribution plan is available to:

(1) elected local government officials of a governmental subdivision who elect to participate in the plan under section 353D.02, subdivision 1, and who, for the elected service rendered to a governmental subdivision, are not members of the Public Employees Retirement Association within the meaning of section 353.01, subdivision 7;

(2) physicians who, if they did not elect to participate in the plan under section 353D.02, subdivision 2, would meet the definition of member under section 353.01, subdivision 7;

(3) basic and advanced life support emergency medical service personnel employed by any public ambulance service that elects to participate under section 353D.02, subdivision 3;

(4) members of a municipal rescue squad associated with Litchfield in Meeker County, or of a county rescue squad associated with Kandiyohi County, if an independent nonprofit rescue squad corporation, incorporated under chapter 317A, performing emergency management services, and if not affiliated with a fire department or ambulance service and if its members are not eligible for membership in that fire department's or ambulance service's relief association or comparable pension plan;

(5) employees of the Port Authority of the city of St. Paul who elect to participate in the plan under section 353D.02, subdivision 5, and who are not members of the Public Employees Retirement Association under section 353.01, subdivision 7;

(6) city managers who elected to be excluded from the general employees retirement plan of the Public Employees Retirement Association under section 353.028 and who elected to participate in the public employees defined contribution plan under section 353.028, subdivision 3, paragraph (b); and

(7) volunteer or emergency on-call firefighters serving in a municipal fire department or an independent nonprofit firefighting corporation who are not covered by the public employees police and fire retirement plan and who are not covered by a volunteer firefighters relief association and who elect to participate in the public employees defined contribution plan.

(b) For purposes of this chapter, an elected local government official includes a person appointed to fill a vacancy in an elective office and a member of the Metropolitan Council. Service as an elected local government official only includes service for the governmental subdivision for which the official was elected by the public-at-large. Service as an elected local government official ceases and eligibility to participate terminates when the person ceases to be an elected official. An elected local government official does not include an elected county sheriff.

(c) Individuals otherwise eligible to participate in the plan under this subdivision who are currently covered by a public or private pension plan because of their employment or provision of services are not eligible to participate in the public employees defined contribution plan.

(d) A former participant is a person who has terminated eligible employment or service and has not withdrawn the value of the person's individual account.

Sec. 25. Minnesota Statutes 2006, section 473.123, subdivision 1, is amended to read:

Subdivision 1. **Creation.** A Metropolitan Council with jurisdiction in the metropolitan area is established as a public corporation and political subdivision of the state. It shall be under the supervision and control of ~~47~~ members, ~~all of whom shall be residents of the metropolitan area~~ elected from districts as provided in section 473.124.

Sec. 26. Minnesota Statutes 2006, section 473.123, subdivision 4, is amended to read:

Subd. 4. **Chair; appointment, officers, selection; duties and compensation.** (a) The chair of the Metropolitan Council shall be ~~appointed by the governor as the 17th voting member thereof by and with the advice and consent of the senate to serve at the pleasure of the governor to represent the metropolitan area at large. Senate confirmation shall be as provided by section 15.066~~ elected by, and from among, the members of the council to serve a one-year term.

The chair of the Metropolitan Council shall, if present, preside at meetings of the council, have the primary responsibility for meeting with local elected officials, serve as the principal legislative liaison, present to the governor and the legislature, after council approval, the council's plans for regional governance and operations, serve as the principal spokesperson of the council, and perform other duties assigned by the council or by law.

(b) The Metropolitan Council shall elect other officers as it deems necessary for the conduct of its affairs for a one-year term. A secretary and treasurer need not be members of the Metropolitan Council. Meeting times and places shall be fixed by the Metropolitan Council and special meetings may be called by a majority of the members of the Metropolitan Council or by the chair. ~~The chair and each Metropolitan Council member shall be reimbursed for actual and necessary expenses. The annual budget of the council shall provide as a separate account anticipated expenditures for compensation, travel, and associated expenses for the chair and members, and compensation or reimbursement shall be made to the chair and members only when budgeted.~~

(c) Each member of the council shall attend and participate in council meetings and meet regularly with local elected officials and legislative members from the council member's district. Each council member shall serve on at least one division committee for transportation, environment, or community development.

(d) In the performance of its duties the Metropolitan Council may adopt policies and procedures governing its operation, establish committees, and, when specifically authorized by law, make appointments to other governmental agencies and districts.

Sec. 27. Minnesota Statutes 2006, section 473.123, is amended by adding a subdivision to read:

Subd. 4a. **Compensation.** Each Metropolitan Council member must be paid as authorized by the Metropolitan Council. The chair and each Metropolitan Council member must be reimbursed for actual and necessary expenses. The annual budget of the council must provide, as a separate account, anticipated expenditures for compensation, travel, and associated expenses for the chair and members, and compensation or reimbursement must be made to the chair and members only when budgeted.

Sec. 28. Minnesota Statutes 2006, section 473.123, subdivision 7, is amended to read:

Subd. 7. **Performance and budget analyst.** The council, ~~other than the chair,~~ may hire a performance and budget analyst to assist the ~~16 council members~~ with policy and budget analysis and evaluation of the council's performance. The analyst may recommend and the council may hire up to two additional analysts to assist the council with performance evaluation and budget analysis. The analyst and any additional analysts hired shall serve at the pleasure of the council members. The ~~16 members of the council~~ may prescribe all terms and conditions for the employment of the analyst and any additional analysts hired, including, but not limited to, the fixing of compensation, benefits, and insurance. The analyst shall prepare the budget for the provisions of this ~~section~~ subdivision and submit the budget for council approval and inclusion in the council's overall budget.

Sec. 29. **[473.124] METROPOLITAN COUNCIL ELECTIONS.**

Subdivision 1. **Number of members.** The Metropolitan Council consists of 16 members.

Subd. 2. **Districts.** (a) After the federal decennial census in 2010, and after each federal decennial census thereafter, the Metropolitan Council must divide the metropolitan area into as many districts as there are members. Each district is entitled to elect one member. The districts must be bounded by town, municipal, ward, or precinct lines. The districts must be composed of compact, convenient, and contiguous territory and must be substantially equal in population. The population of the largest district must not exceed the population of the smallest district by more than ten percent, unless the result would force a voting precinct to be split. A Metropolitan Council district must not include territory in more than one county unless necessary to meet equal-population requirements. The districts must be numbered in a regular series.

(b) The districts must be redrawn within the time provided in section 204B.135, subdivision 2. Before acting to redistrict, the council must publish in newspapers of general circulation three weeks' notice of its purpose, stating the time and place of the meeting where the matter will be considered. The council must file a map of the new districts with the secretary of state.

Subd. 3. **Terms.** Members serve a term of four years, except to fill a vacancy. There must be a new election of all members at the first election after each decennial redistricting and the members elected at that election from districts with odd numbers serve for an initial term of two years.

Sec. 30. **INITIAL SALARY.**

Notwithstanding section 27, the salary of members elected to the Metropolitan Council at the general election in 2010 must not exceed \$40,000.

Sec. 31. **APPLICATION.**

This act applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

Sec. 32. **REPEALER.**

(a) Minnesota Statutes 2006, section 473.123, subdivisions 2a, 3, 3a, and 3d, are repealed.

(b) Laws 1994, chapter 628, article 1, section 8, is repealed.

Sec. 33. **EFFECTIVE DATE.**

This act is effective for the state primary in 2010 and thereafter, except that the repeal of Minnesota Statutes 2006, section 473.123, subdivision 3d, is effective for the state primary in 2012 and thereafter."

Correct the title numbers accordingly

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Governmental Operations, Reform, Technology and Elections.

The report was adopted.

Atkins from the Committee on Commerce and Labor to which was referred:

H. F. No. 413, A bill for an act relating to commerce; regulating franchise agreements between outdoor sport equipment dealers and manufacturers; imposing title requirements; appropriating money; proposing coding for new law as Minnesota Statutes, chapters 80G; 86C; repealing Minnesota Statutes 2006, sections 86B.820; 86B.825; 86B.830; 86B.835; 86B.840; 86B.845; 86B.850; 86B.855; 86B.860; 86B.865; 86B.870; 86B.875; 86B.880; 86B.885; 86B.890; 86B.895; 86B.900; 86B.905; 86B.910; 86B.915; 86B.920.

Reported the same back with the following amendments:

Page 7, after line 14, insert:

"Subd. 13. **Fraud by dealer; effect on repurchase obligations.** (a) If the dealer committed fraud upon the manufacturer, which resulted in provable financial loss to the manufacturer, the manufacturer may offset an amount equal to a reasonable estimate of the amount of that financial loss against the manufacturer's repurchase obligations under this section. Before doing so, the manufacturer shall provide the dealer with a written statement of what the alleged fraud was and how the manufacturer determined the reasonable estimate of the loss.

(b) This subdivision does not affect the rights or remedies of either party if either party commences an action to resolve any dispute involving the alleged fraud."

Page 10, delete article 2 and insert:

"ARTICLE 2

SPORT EQUIPMENT REGISTRATION REQUIREMENTS

Section 1. Minnesota Statutes 2006, section 84.788, is amended by adding a subdivision to read:

Subd. 12. **Proof of sales tax payment.** A person applying for initial registration of an off-highway motorcycle must provide a purchaser's certificate, showing a complete description of the off-highway motorcycle, the seller's name and address, the full purchase price of the off-highway motorcycle, and the trade-in allowance, if any. The

certificate must include information showing either (1) that the sales and use tax under chapter 297A was paid, or (2) the purchase was exempt from tax under chapter 297A. The commissioner of public safety, in consultation with the commissioner and the commissioner of revenue, shall prescribe the form of the certificate.

The certificate is not required if the applicant provides a receipt, invoice, or other document that shows the off-highway motorcycle was purchased from a retailer maintaining a place of business in this state as defined in section 297A.66, subdivision 1.

EFFECTIVE DATE. This section is effective for registrations after June 30, 2007.

Sec. 2. Minnesota Statutes 2006, section 84.798, is amended by adding a subdivision to read:

Subd. 11. **Proof of sales tax payment.** A person applying for initial registration of an off-road vehicle must provide a purchaser's certificate, showing a complete description of the off-road vehicle, the seller's name and address, the full purchase price of the off-road vehicle, and the trade-in allowance, if any. The certificate must include information showing either (1) that the sales and use tax under chapter 297A was paid, or (2) the purchase was exempt from tax under chapter 297A. The commissioner of public safety, in consultation with the commissioner and the commissioner of revenue, shall prescribe the form of the certificate.

The certificate is not required if the applicant provides a receipt, invoice, or other document that shows the off-road vehicle was purchased from a retailer maintaining a place of business in this state as defined in section 297A.66, subdivision 1.

EFFECTIVE DATE. This section is effective for registrations after June 30, 2007."

Amend the title as follows:

Page 1, line 3, delete everything after "manufacturers;"

Page 1, line 4, delete "money" and insert "establishing registration requirements"

Correct the title numbers accordingly

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Taxes.

The report was adopted.

Mullery from the Committee on Public Safety and Civil Justice to which was referred:

H. F. No. 415, A bill for an act relating to the environment; modifying exemptions to noise standards; amending Minnesota Statutes 2006, section 116.07, subdivision 2a.

Reported the same back with the following amendments:

Page 1, line 18, delete everything after "1996"

Page 1, delete line 19

Page 1, line 20, delete everything before the period

Amend the title as follows:

Page 1, line 2, delete "modifying" and insert "extending"

With the recommendation that the bill be amended and without further recommendation.

The report was adopted.

Mullery from the Committee on Public Safety and Civil Justice to which was referred:

H. F. No. 448, A bill for an act relating to public safety; repealing the program that involved mailed demands that vehicle owners provide verification of auto insurance; repealing Minnesota Statutes 2006, section 169.796, subdivision 3; Laws 2005, First Special Session chapter 6, article 3, section 91.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Hilstrom from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 457, A bill for an act relating to public safety; expanding an existing law enforcement tool regarding record keeping of purchases of scrap metal dealers; requiring registrations; providing a tax credit to certain dealers; establishing criminal penalties; appropriating money; amending Minnesota Statutes 2006, section 325E.21; proposing coding for new law in Minnesota Statutes, chapters 290; 609.

Reported the same back with the following amendments:

Pages 1 and 2, delete section 1

Page 2, delete subdivision 1 and insert:

"Subdivision 1. **Purchase or acquisition record required.** ~~(a) Every person, firm or corporation, scrap metal dealer, including an agent, employee, or representative thereof of the dealer, engaging in the business of buying and selling wire and cable commonly and customarily used by communication and electric utilities shall keep a written record, in the English language, legibly written in ink or typewriting, at the time of each purchase or acquisition, of scrap metal. The record must include:~~

~~(1) an accurate account or description, including the weight if customarily purchased by weight, of such wire and cable commonly and customarily used by communication and electric utilities, the scrap metal purchased or acquired;~~

~~(2) the date, time, and place of the receipt of the same;~~

~~(3) the name and address of the person selling or delivering the same and;~~

~~(4) the number of the check used to purchase the scrap metal, if applicable;~~

(5) the number of the person's driver's license of such person, Minnesota identification card number, or other identification document number of an identification document issued for identification purposes by any state, federal, or foreign government if the document includes the applicant's photograph, full name, birth date, and signature; and

(6) the license plate number of the vehicle used by the person when delivering the scrap metal, if applicable.

~~Such (b) The record, as well as such wire and cable commonly and customarily used by communication and electric utilities the scrap metal purchased or received, shall at all reasonable times be open to the inspection of any sheriff or deputy sheriff of the county, or of any police officer in any incorporated city or statutory city, in which such business may be carried on law enforcement agency.~~

~~Such (c) The person shall not be required to furnish or keep such record of any property purchased from merchants, manufacturers or wholesale dealers, having an established place of business, or of any goods purchased at open sale from any bankrupt stock, but a bill of sale or other evidence of open or legitimate purchase of such the property shall be obtained and kept by such the person which must be shown upon demand to the sheriff or deputy sheriff of the county, or to any police officer in any incorporated city or statutory city, in which such business may be carried on. The provisions of this subdivision and of subdivision 2 shall not apply to or include any person, firm or corporation engaged exclusively in the business of buying or selling motor vehicles, new or used, paper or wood products, rags or furniture, secondhand machinery any law enforcement agency.~~

(d) Except as otherwise provided in this section, a scrap metal dealer may not disclose personal information concerning a customer without the customer's consent unless the disclosure is permitted or required by another law or is in response to a facially valid administrative or judicial order, including a search warrant or subpoena. For purposes of this paragraph, "personal information" is any individually identifiable information gathered in connection with a record under paragraph (a)."

Page 3, line 17, after "purchases" insert "of \$75 or more"

Page 4, line 2, delete "and fairly"

Page 4, line 5, after the semicolon, insert "and"

Page 4, line 9, delete "; and" and insert a period

Page 4, delete line 10

Page 4, delete lines 25 to 27 and insert:

"Subd. 8. **Exemption.** A scrap metal dealer may purchase aluminum cans without complying with the holding period requirements of subdivision 2a."

Page 5, line 6, delete "motor vehicles, new or used" and insert "new or used motor vehicles or motor vehicle parts"

Page 5, line 9, after "TRANSMISSION" insert "OR TELECOMMUNICATIONS"

Page 5, line 15, delete the second "or"

Page 5, line 20, delete everything after the semicolon and insert "or"

Page 5, after line 20, insert:

"(3) any machinery, equipment, and fixtures used in receiving, initiating, amplifying, processing, transmitting, retransmitting, recording, switching, or monitoring telecommunications services, such as computers, transformers, amplifiers, routers, repeaters, multiplexers, and other items performing comparable functions; and machinery, equipment, and fixtures used in the transportation of telecommunications services, radio transmitters and receivers, satellite equipment, microwave equipment, and other transporting media including wire, cable, fiber, poles, and conduit;

is guilty of a crime and may be sentenced as provided in subdivision 2."

Page 5, line 26, delete "to" and insert "and" and delete "2" and insert "1"

Page 5, line 28, delete "3" and insert "2" and after "2007" insert a comma

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, delete everything before "establishing"

Correct the title numbers accordingly

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Thissen from the Committee on Health and Human Services to which was referred:

H. F. No. 464, A bill for an act relating to insurance; creating a statewide health insurance pool for school district employees; appropriating money; amending Minnesota Statutes 2006, sections 62E.02, subdivision 23; 62E.10, subdivision 1; 62E.11, subdivision 5; 297I.05, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 62A.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Commerce and Labor.

The report was adopted.

Atkins from the Committee on Commerce and Labor to which was referred:

H. F. No. 475, A bill for an act relating to health; expanding private health insurance coverage of young adult dependents by including those not enrolled as full-time students; amending Minnesota Statutes 2006, sections 62E.02, subdivision 7; 62L.02, subdivision 11; repealing Minnesota Statutes 2006, section 62A.301.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Otremba from the Committee on Agriculture, Rural Economies and Veterans Affairs to which was referred:

H. F. No. 484, A bill for an act relating to agriculture; modifying the beginning farmer program administered by the Rural Finance Authority and providing income tax credits for rental of assets to beginning farmers and to beginning farmers for participation in farm management programs; amending Minnesota Statutes 2006, section 290.06, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 41B.

Reported the same back with the following amendments:

Page 2, line 29, after the period, insert "The credit is only allowed for agricultural land rented to a beginning farmer or livestock producer under a rental agreement or share rent agreement that first takes effect after December 31, 2006."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Taxes.

The report was adopted.

Hilstrom from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 532, A bill for an act relating to consumer protection; regulating certain contracts entered into by military service personnel; authorizing cancellations; requiring utilities to establish payment arrangements for military service personnel; proposing coding for new law in Minnesota Statutes, chapters 325E; 325G.

Reported the same back with the following amendments:

Page 2, line 18, after "commission" insert "or other appropriate governing body"

Page 3, line 2, delete everything after "until"

Page 3, line 3, delete "(1)"

Page 3, line 6, delete "; and" and insert a period

Page 3, delete lines 7 to 10

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Agriculture, Rural Economies and Veterans Affairs.

The report was adopted.

Hilstrom from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 577, A bill for an act relating to natural resources; modifying requirements for ditch buffers; requiring annual drainage authority reports; modifying drainage repair and inspection requirements; appropriating money; amending Minnesota Statutes 2006, sections 103E.021, subdivisions 1, 2, 3, by adding a subdivision; 103E.315, subdivision 8; 103E.321, subdivision 1; 103E.701, by adding a subdivision; 103E.705, subdivisions 1, 2, 3; 103E.728, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 103E.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Thissen from the Committee on Health and Human Services to which was referred:

H. F. No. 599, A bill for an act relating to health; establishing the Grieving Parents Act; requiring a mother to be notified of burial and cremation options in the case of a miscarriage; proposing coding for new law in Minnesota Statutes, chapter 145.

Reported the same back with the following amendments:

Page 1, line 10, after "miscarriage" insert "occurring after a gestation period of less than 20 weeks"

With the recommendation that when so amended the bill pass.

The report was adopted.

Atkins from the Committee on Commerce and Labor to which was referred:

H. F. No. 633, A bill for an act relating to insurance; regulating health plan coverage for hearing aids; amending Minnesota Statutes 2006, section 62Q.675.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Atkins from the Committee on Commerce and Labor to which was referred:

H. F. No. 772, A bill for an act relating to insurance; increasing the required minimum liability limits on aircraft insurance; providing that aircraft liability insurance is not voidable retroactively after a claim; amending Minnesota Statutes 2006, section 360.59, subdivision 10.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2006, section 360.59, subdivision 10, is amended to read:

Subd. 10. **Certificate of insurance.** (a) Every owner of aircraft in this state when applying for registration, reregistration, or transfer of ownership shall supply any information the commissioner reasonably requires to determine that the aircraft during the period of its contemplated operation is covered by an insurance policy with limits of not less than ~~\$25,000~~ \$100,000 per passenger seat liability both for passenger bodily injury or death and for property damage; not less than ~~\$25,000~~ \$100,000 for bodily injury or death to each nonpassenger in any one accident; and not less than ~~\$50,000~~ \$300,000 per occurrence for bodily injury or death to nonpassengers in any one accident. The insurance policy is subject to the following, which need not be contained in the policy:

With respect to coverage of liability for bodily injury, death, or property damage suffered by a third party:

(1) the liability of the insurer may not be canceled or annulled by any agreement between the insurer and the insured after the occurrence of the injury or damage; and

(2) no statement made by the insured or on the insured's behalf and no fraud or violation of the policy defeats or voids the policy.

The information ~~shall~~ supplied to the commissioner must include but is not limited to the name and address of the owner, the period of contemplated use or operation, if any, and, if insurance coverage is then presently required, the name of the insurer, the insurance policy number, the term of the coverage, policy limits, and any other data the commissioner requires. No certificate of registration shall be issued pursuant to subdivision 3 in the absence of the information required by this subdivision.

(b) In the event of cancellation of aircraft insurance by the insurer, the insurer shall notify the Department of Transportation at least ten days prior to the date on which the insurance coverage is to be terminated. Unless proof of a new policy of insurance is filed with the department meeting the requirements of this subdivision during the period of the aircraft's contemplated use or operation, the registration certificate for the aircraft shall be revoked forthwith. ~~Provided, however, that~~

(c) Nothing in this subdivision shall be construed to require an owner of aircraft to maintain passenger seat liability coverage on aircraft for which an experimental certificate has been issued by the administrator of the Federal Aviation Administration pursuant to Code of Federal Regulations, title 14, sections 21.191 to 21.195 and 91.42, whereunder persons operating the aircraft are prohibited from carrying passengers in the aircraft. Whenever the aircraft becomes certificated to carry passengers, passenger seat liability coverage shall be required as provided in this subdivision.

(d) The requirements of this subdivision shall not apply to any aircraft built by the original manufacturer prior to December 31, 1939 and owned and operated solely as a collector's item, if the owner files an affidavit with the commissioner. The affidavit shall state the owner's name and address, the name and address of the person from whom the aircraft was purchased, the make, year, and model number of the aircraft, the federal aircraft registration number, the manufacturer's identification number, and that the aircraft is owned and operated solely as a collector's item and not for general transportation purposes.

EFFECTIVE DATE. This section is effective January 1, 2008, and applies to policies offered, sold, issued, or renewed on or after that date."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Public Safety and Civil Justice.

The report was adopted.

Mariani from the Committee on E-12 Education to which was referred:

H. F. No. 814, A bill for an act relating to children; establishing the teacher education and compensation helps program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 136A.

Reported the same back with the following amendments:

Page 1, line 11, delete "commissioner" and insert "director of the Minnesota Office of Higher Education"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Otremba from the Committee on Agriculture, Rural Economies and Veterans Affairs to which was referred:

H. F. No. 878, A bill for an act relating to agriculture; authorizing the commissioner of agriculture to serve as a consultant to the Board of Animal Health; amending Minnesota Statutes 2006, section 35.02, subdivision 1.

Reported the same back with the following amendments:

Page 1, line 10, delete "commissioner" and insert "commissioners" and after "agriculture" insert ", natural resources, and health"

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Hilstrom from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 881, A bill for an act relating to metropolitan government; modifying the Metropolitan Land Planning Act and related statutes; correcting erroneous, ambiguous, and obsolete references; making miscellaneous technical corrections to statutes; amending Minnesota Statutes 2006, sections 15.99, subdivision 2; 473.175; 473.851; 473.852, subdivision 1; 473.854; 473.856; 473.857, subdivision 2; 473.858; 473.859, subdivision 1; 473.866; 473.867, subdivisions 1, 2; 473.869; 473.871; repealing Minnesota Statutes 2006, sections 473.1455; 473.868.

Reported the same back with the following amendments:

Page 6, line 17, delete "which shall not be less than 60 days" and insert "or may waive the review and comment period if the minor plan amendments involve lands that are not contiguous to other local governmental units"

With the recommendation that when so amended the bill pass.

The report was adopted.

Hilstrom from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 882, A bill for an act relating to metropolitan government; modifying provisions governing metropolitan livable communities fund; authorizing a transfer of funds between metropolitan livable communities fund accounts; authorizing a onetime transfer from the livable communities demonstration account for local planning assistance grants and loans; amending Minnesota Statutes 2006, section 473.253, subdivision 2.

Reported the same back with the following amendments:

Page 1, after line 8, insert:

"Section 1. Minnesota Statutes 2006, section 473.252, subdivision 3, is amended to read:

Subd. 3. **Distribution of funds.** (a) The council must use the funds in the account to make grants to municipalities or development authorities for the cleanup of polluted land in the metropolitan area. A grant to a metropolitan county or a development authority must be used for a project in a participating municipality. The council shall prescribe and provide the grant application form to municipalities. The council must consider the probability of funding from other sources when making grants under this section.

(b)(1) The legislature expects that applications for grants will exceed the available funds and the council will be able to provide grants to only some of the applicant municipalities. If applications for grants for qualified sites exceed the available funds, the council shall make grants that provide the highest return in public benefits for the public costs incurred, that encourage development that will lead to the preservation or growth of living-wage jobs or the production of affordable housing, and that enhance the tax base of the recipient municipality.

(2) In making grants, the council shall establish regular application deadlines in which grants will be awarded from the available money in the account. If the council provides for application cycles of less than six-month intervals, the council must reserve at least 40 percent of the receipts of the account for a year for application deadlines that occur in the second half of the year. If the applications for grants meeting the funding criteria and program guidelines exceed the available funds for an application cycle, no more than one-half of the funds may be granted to projects in a statutory or home rule charter city and no more than three-quarters of the funds may be granted to projects located in cities of the first class.

(3) In 2007 and each year thereafter, if there is an insufficient number of applications meeting funding criteria and program guidelines for the tax base revitalization account, any funds unused for an application cycle may be transferred to the livable communities demonstration account for distribution to eligible applicants under section 473.253, subdivision 2.

(c) A municipality may use the grant to provide a portion of the local match requirement for project costs that qualify for a grant under sections 116J.551 to 116J.557."

Page 1, line 18, delete "the council may transfer up to \$3,000,000"

Page 1, line 19, delete "from the livable communities demonstration account" and insert "if there is an insufficient number of applications meeting funding criteria and program guidelines for the livable communities demonstration account, any funds unused for an application cycle may be transferred"

Page 2, line 5, delete "and 2" and insert "to 3"

Page 2, line 8, delete "3" and insert "4"

Renumber the sections in sequence and correct internal references

Correct the title numbers accordingly

With the recommendation that when so amended the bill be re-referred to the Committee on Taxes without further recommendation.

The report was adopted.

Hilstrom from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 905, A bill for an act relating to local government; authorizing cities to operate preventive health services programs; amending Minnesota Statutes 2006, section 15.46.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Pelowski from the Committee on Governmental Operations, Reform, Technology and Elections to which was referred:

H. F. No. 911, A bill for an act relating to human services; establishing a self-directed personal supports option; modifying the Minnesota supplemental aid standard; appropriating money; amending Minnesota Statutes 2006, sections 256B.0625, by adding a subdivision; 256D.44, subdivisions 2, 5; proposing coding for new law in Minnesota Statutes, chapter 256B.

Reported the same back with the following amendments:

Page 6, after line 5, insert:

"Sec. 5. **LICENSURE; SERVICES FOR YOUTH WITH DISABILITIES.**

(a) Notwithstanding the requirements of Minnesota Statutes, chapter 245A, upon the recommendation of a county agency, the commissioner of human services shall grant a license with any necessary variances to a nonresidential program for youth which provides services to youth with disabilities under age 21 during nonschool hours established to ensure health and safety, prevent out-of-home placement, and increase community inclusion of youth with disabilities. The nonresidential youth program is subject to the conditions of any variances granted and with consumer rights under Minnesota Statutes, section 245B.04, consumer protection standards under Minnesota Statutes, section 245B.05, service standards under Minnesota Statutes, section 245B.06, management standards under Minnesota Statutes, section 245B.07, and fire marshal inspections under Minnesota Statutes, section 245A.151, until the commissioner develops other licensure requirements for this type of program.

(b) By February 1, 2008, the commissioner shall recommend amendments to licensure requirements in Minnesota Statutes, chapter 245A, to allow licensure of appropriate services for school-age youth with disabilities under age 21 who need supervision and services to develop skills necessary to maintain personal safety and increase their independence, productivity, and participation in their communities during nonschool hours. As part of developing the recommendations, the commissioner shall survey county agencies to determine how the needs of youth with disabilities under age 21 who require supervision and support services are being met and the funding sources used. The recommendations must be provided to the house and senate chairs of the committees with jurisdiction over licensing of programs for youth with disabilities."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after the second semicolon, insert "directing the commissioner to license programs for youth with disabilities; requiring reports;"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Clark from the Housing Policy and Finance and Public Health Finance Division to which was referred:

H. F. No. 993, A bill for an act relating to building codes; requiring adoption of certain provisions relating to radon control; amending Minnesota Statutes 2006, section 16B.61, by adding a subdivision.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2006, section 16B.61, is amended by adding a subdivision to read:

Subd. 3b. **Radon code.** The commissioner of labor and industry shall adopt rules for radon control as part of the State Building Code for all new residential buildings. These rules shall incorporate the radon control methods found in the International Residential Code appendix as the model language, with necessary amendments to coordinate with the other adopted construction codes in Minnesota."

With the recommendation that when so amended the bill pass and be re-referred to the Higher Education and Work Force Development Policy and Finance Division.

The report was adopted.

Mullery from the Committee on Public Safety and Civil Justice to which was referred:

H. F. No. 1033, A bill for an act relating to crime victims; expanding the protection against employer retaliation; amending Minnesota Statutes 2006, section 611A.036, subdivisions 2, 7.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Hilstrom from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 1045, A bill for an act relating to metropolitan parks; clarifying the distribution of state lottery gross proceeds in lieu of sales tax for metropolitan parks and open space; modifying the compensation for members of the parks and open space commission; amending Minnesota Statutes 2006, sections 297A.94; 473.303, subdivision 6.

Reported the same back with the following amendments:

Page 1, after line 6, insert:

"ARTICLE 1

FOUNDATION

Section 1. **FINDINGS AND PURPOSE.**

The availability and adequacy of parks and open spaces are critical to the social, environmental, and economic health and vitality of the state's metropolitan areas. By 2030, the population of the seven-county metropolitan area comprising Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington counties is expected to increase by nearly one million. This expected growth will significantly affect land uses in the metropolitan area, including the availability of land for recreation and open space purposes. State, regional, and local governments' ability to acquire and preserve property for public recreation and open space purposes is limited but can be enhanced through cooperative public-private initiatives. The legislature therefore finds and declares that it is in the public's interest for the Metropolitan Council to create a private parks foundation to supplement public tax dollars in filling regional park acquisition and preservation needs by improving the region's access to private funding sources and other support for regional recreation and open space purposes.

Sec. 2. **NONPROFIT FOUNDATION.**

Subdivision 1. **Nonprofit foundation may be established.** Pursuant to Minnesota Statutes, section 465.717, subdivision 1, the Metropolitan Council established by Minnesota Statutes, section 473.123, may incorporate, create, or otherwise establish a foundation. The purpose of the foundation shall be to help acquire or finance the acquisition of lands and other assets for public recreation and open space within the metropolitan area defined in Minnesota Statutes, section 473.121, subdivision 2, in order to preserve and develop regional parks and related facilities. The foundation shall be a private nonprofit organization and tax exempt under appropriate federal and state laws. The foundation may accept gifts, donations, money, property, and other assets and may transfer, donate, or otherwise provide such gifts, donations, money, property, and other assets consistent with its dedicated purpose.

Subd. 2. **Formation; board of directors; employees.** The foundation's initial board of directors must include business leaders, representatives of civic and nonprofit organizations, and at least one representative from each of the following: the Metropolitan Council, the Metropolitan Parks and Open Space Commission, the Department of Natural Resources, and conservation and parks and trails advocacy organizations like the Trust for Public Land and the Parks and Trails Council of Minnesota. The members of the initial board must not be compensated by the foundation for their services but may be reimbursed for reasonable expenses incurred in connection with their duties as board members. Persons employed by the foundation are not public employees and must not participate in retirement, deferred compensation, insurance, or other plans that apply to public employees generally.

Subd. 3. **Advisory committee.** The foundation may appoint an advisory committee to help establish the foundation. The advisory committee should include one or more representatives of the following: the regional park implementing agencies within the metropolitan area, the National Park Service, the United States Fish and Wildlife Service, the Metropolitan Council, the Department of Natural Resources, existing public park organizations, and other organizations as the foundation deems appropriate. Advisory committee members shall not be compensated for their membership on the advisory committee but may be reimbursed for reasonable expenses incurred in connection with their duties as advisory committee members. The advisory committee may be dissolved by the foundation when the foundation determines the advisory committee's work is complete.

Sec. 3. **METROPOLITAN COUNCIL ASSISTANCE.**

The Metropolitan Council may provide from its general fund up to \$500,000 to help create and establish the foundation. Until the foundation is established and functioning, the council may provide, from the funding made available under this section, office space and administrative support. The council may accept gifts, donations, money, property, and other assets for purposes consistent with the foundation's purposes and shall, when the foundation is established and functioning, transfer such gifts, donations, money, property, and other assets to the foundation. The use of council funds and resources for these purposes is a public purpose.

Sec. 4. **REPORT.**

On or before January 15, 2009, the council shall prepare and submit to the legislature, as provided in Minnesota Statutes, section 3.195, a report on the creation and establishment of the foundation including a description of the public and private funds and resources used to help create and establish the foundation.

ARTICLE 2

PARKS AND OPEN SPACE STATUTORY CHANGES"

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "authorizing the creation of a nonprofit foundation; authorizing the use of funds to establish the foundation; requiring a report;"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Otremba from the Committee on Agriculture, Rural Economies and Veterans Affairs to which was referred:

H. F. No. 1047, A bill for an act relating to veterinary medicine; recognizing Program for the Assessment of Veterinary Education Equivalence certification; providing for certain fees; limiting use of certain drugs; changing certain requirements; eliminating a waiver; regulating prescription of drugs; amending Minnesota Statutes 2006, sections 156.001, by adding a subdivision; 156.02, subdivisions 1, 2; 156.04; 156.072, subdivision 2; 156.073; 156.075, subdivision 2; 156.12, subdivisions 2, 4, 6; 156.15, subdivision 2; 156.16, subdivisions 3, 10; 156.18, subdivisions 1, 2; 156.19; proposing coding for new law in Minnesota Statutes, chapter 156.

Reported the same back with the following amendments:

Page 4, delete section 8

Page 7, line 17, delete the new language and after "use" insert "or human drugs for extra-label use"

Page 8, line 20, after the stricken period, insert ", if applicable" and after the new semicolon, insert "and"

Page 8, delete line 21

Page 8, line 22, delete "(9)" and insert "(8)"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, delete "eliminating a"

Page 1, line 5, delete "waiver;"

Correct the title numbers accordingly

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Pelowski from the Committee on Governmental Operations, Reform, Technology and Elections to which was referred:

H. F. No. 1117, A bill for an act relating to elections; moving precinct caucuses from March to February; moving the state primary from September to June and making conforming changes; amending Minnesota Statutes 2006, sections 10A.31, subdivision 6; 10A.321; 10A.322, subdivision 1; 10A.323; 202A.14, subdivision 1; 204B.33; 204D.03, subdivision 1; 205.065, subdivision 1; 205A.03, subdivision 2.

Reported the same back with the following amendments:

Page 4, delete section 7 and insert:

"Sec. 7. Minnesota Statutes 2006, section 204D.03, subdivision 1, is amended to read:

Subdivision 1. **State primary.** The state primary shall be held on the first Tuesday after the ~~second first~~ Monday in ~~September~~ June in each even-numbered year to select the nominees of the major political parties for partisan offices and the nominees for nonpartisan offices to be filled at the state general election, other than presidential electors."

Page 4, after line 33, insert:

"Sec. 9. Minnesota Statutes 2006, section 205.13, subdivision 1a, is amended to read:

Subd. 1a. **Filing period.** In municipalities nominating candidates at a municipal primary, an affidavit of candidacy for a city office or town office voted on in November must be filed not more than 70 days nor less than 56 days before ~~the first Tuesday after the second Monday in September preceding~~ the municipal ~~general election~~ primary. In all other municipalities, an affidavit of candidacy must be filed not more than 70 days and not less than 56 days before the municipal general election."

Page 5, after line 6, insert:

"Sec. 11. Minnesota Statutes 2006, section 205A.06, subdivision 1a, is amended to read:

Subd. 1a. **Filing period.** Affidavits of candidacy must be filed with the school district clerk no earlier than the 70th day and no later than the 56th day before the first Tuesday after the second Monday in September in the year when the school district general election is held in an odd-numbered year or before the state primary when the school district general election is held in an even-numbered year.

Sec. 12. Minnesota Statutes 2006, section 447.32, subdivision 4, is amended to read:

Subd. 4. **Candidates; ballots; certifying election.** A person who wants to be a candidate for the hospital board shall file an affidavit of candidacy for the election either as member at large or as a member representing the city or town where the candidate resides. The affidavit of candidacy must be filed with the city or town clerk not more than 70 days nor less than 56 days before the ~~first Tuesday after the first Monday in November of the year in which the general election is held~~ state primary. The city or town clerk must forward the affidavits of candidacy to the clerk of the hospital district or, for the first election, the clerk of the most populous city or town immediately after the last day of the filing period. A candidate may withdraw from the election by filing an affidavit of withdrawal with the clerk of the district no later than 5:00 p.m. two days after the last day to file affidavits of candidacy.

Voting must be by secret ballot. The clerk shall prepare, at the expense of the district, necessary ballots for the election of officers. Ballots must be printed on tan paper and prepared as provided in the rules of the secretary of state. The ballots must be marked and initialed by at least two judges as official ballots and used exclusively at the election. Any proposition to be voted on may be printed on the ballot provided for the election of officers. The hospital board may also authorize the use of voting systems subject to chapter 206. Enough election judges may be appointed to receive the votes at each polling place. The election judges shall act as clerks of election, count the ballots cast, and submit them to the board for canvass.

After canvassing the election, the board shall issue a certificate of election to the candidate who received the largest number of votes cast for each office. The clerk shall deliver the certificate to the person entitled to it in person or by certified mail. Each person certified shall file an acceptance and oath of office in writing with the clerk within 30 days after the date of delivery or mailing of the certificate. The board may fill any office as provided in subdivision 1 if the person elected fails to qualify within 30 days, but qualification is effective if made before the board acts to fill the vacancy."

Page 5, line 8, delete "9" and insert "12" and delete "2008" and insert "2010"

Renumber the sections in sequence

Correct the title numbers accordingly

With the recommendation that when so amended the bill pass.

The report was adopted.

Mariani from the Committee on E-12 Education to which was referred:

H. F. No. 1174, A bill for an act relating to education; establishing the Minnesota reading corps program; appropriating money; amending Minnesota Statutes 2006, section 124D.42, subdivision 6, by adding a subdivision.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Thissen from the Committee on Health and Human Services to which was referred:

H. F. No. 1206, A bill for an act relating to health; establishing the Universal Newborn and Infant Hearing Screening Act; proposing coding for new law in Minnesota Statutes, chapter 144.

Reported the same back with the following amendments:

Page 1, lines 19 to 20, delete "UNIVERSAL NEWBORN AND INFANT HEARING SCREENING ACT" and insert "EARLY HEARING DETECTION AND INTERVENTION ACT"

Page 1, line 21, delete "21" and insert "18"

Page 2, line 10, after "a" insert "birthing"

Page 2, delete lines 17 to 18

Page 3, line 23, delete everything after "(14)" and insert "two birth hospital representatives from one rural and one urban hospital;"

Page 3, after line 24, insert:

"(16) an otolaryngologist;"

Page 3, line 25, delete "(16)" and insert "(17)"

Page 3, line 27, delete "(17)" and insert "(18)"

Page 4, line 4, delete "As a condition of"

Page 4, line 5, delete "licensure,"

Page 4, line 15, delete everything after "tests" and insert "as recommended by the Department of Health."

Page 4, delete lines 16 to 19

Page 4, line 22, before the semicolon, insert ", or when medically feasible"

Page 4, line 25, after "parents" insert "or parent"

Page 4, line 26, delete "subdivision 4" and insert "recommendations of the Department of Health" and before the comma, insert "or rescreening if conducted"

Page 4, line 29, delete "to ensure that" and insert a period

Page 4, delete lines 30 to 32

Page 4, line 33, before "shall" insert "to the parents, primary care provider, and Department of Health"

Page 4, line 35, delete everything after "information" and insert "recommended by the Department of Health."

Page 4, delete line 36

Page 5, delete lines 1 to 3

Page 5, line 5, after "information" insert ", orally and in writing"

Page 5, after line 7, insert:

"(c) The professional conducting the diagnostic procedure to confirm the hearing loss must report the results to the parents, primary care provider, and Department of Health according to the Department of Health recommendations."

Page 5, after line 15, insert:

"Subd. 7. **Laboratory service fees.** The commissioner shall charge laboratory service fees according to section 16A.1285 so that the total of fees collected will approximate the costs of implementing and maintaining a system to follow up infants, provide technical assistance, a tracking system, data management, and evaluation."

Amend the title as follows:

Page 1, line 2, delete everything after "the"

Page 1, line 3, delete "Screening" and insert "Early Hearing Detection and Intervention"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Governmental Operations, Reform, Technology and Elections.

The report was adopted.

Mariani from the Committee on E-12 Education to which was referred:

H. F. No. 1325, A bill for an act relating to education finance; authorizing a high five kindergarten program; amending Minnesota Statutes 2006, section 126C.05, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 124D; repealing Minnesota Statutes 2006, section 126C.10, subdivision 31.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **[124D.165] PREKINDERGARTEN PROGRAM.**

Subdivision 1. **Programs authorized.** A school district may offer a prekindergarten program for four year old children upon approval of the commissioner of education. A school district must submit its program application to the commissioner in the form and manner required by the commissioner.

Subd. 2. **Program characteristics.** A prekindergarten program must prepare children for kindergarten and include the following:

- (1) compensatory instruction that accelerates children's language and literacy skills and mathematical thinking;
- (2) instructional content and activities that are of sufficient length and intensity to address learning needs;
- (3) an assessment of each child's cognitive skills when the child enters and again before the child leaves the program to inform program planning and promote kindergarten readiness;
- (4) teachers trained in child development and early education instruction; and
- (5) class sizes of less than 20 children and child staff ratios of ten to one or less.

Each child participating in a prekindergarten program must have a learning plan created by the family and teacher designed to meet each child's stage of development and learning style. Teachers must participate in regular professional development activities to keep current on best practices.

Subd. 3. **Pupil eligibility.** A child may participate in a prekindergarten program if the child:

- (1) is at least four years old on September 1;
- (2) has completed the developmental screening under sections 121A.16 to 121A.19; and
- (3) qualifies for free and reduced-price lunch, or is an English language learning child who is four years old on September 1.

EFFECTIVE DATE. This section is effective July 1, 2007.

Sec. 2. Minnesota Statutes 2006, section 126C.05, subdivision 1, is amended to read:

Subdivision 1. **Pupil unit.** Pupil units for each Minnesota resident pupil under the age of 21 or who meets the requirements of section 120A.20, subdivision 1, paragraph (c), in average daily membership enrolled in the district of residence, in another district under sections 123A.05 to 123A.08, 124D.03, 124D.06, 124D.07, 124D.08, or 124D.68; in a charter school under section 124D.10; or for whom the resident district pays tuition under section 123A.18, 123A.22, 123A.30, 123A.32, 123A.44, 123A.488, 123B.88, subdivision 4, 124D.04, 124D.05, 125A.03 to 125A.24, 125A.51, or 125A.65, shall be counted according to this subdivision.

(a) A prekindergarten pupil with a disability who is enrolled in a program approved by the commissioner and has an individual education plan is counted as the ratio of the number of hours of assessment and education service to 825 times 1.25 with a minimum average daily membership of 0.28, but not more than 1.25 pupil units.

(b) A prekindergarten pupil who is assessed but determined not to be disabled is counted as the ratio of the number of hours of assessment service to 825 times 1.25.

(c) A kindergarten pupil with a disability who is enrolled in a program approved by the commissioner is counted as the ratio of the number of hours of assessment and education services required in the fiscal year by the pupil's individual education program plan to 875, but not more than one.

(d) A kindergarten pupil, and any pupil participating in a prekindergarten program under section 124D.165, who is not included in paragraph (c) is counted as .557 of a pupil unit for fiscal year 2000 and thereafter.

(e) A pupil who is in any of grades 1 to 3 is counted as 1.115 pupil units for fiscal year 2000 and thereafter.

(f) A pupil who is any of grades 4 to 6 is counted as 1.06 pupil units for fiscal year 1995 and thereafter.

(g) A pupil who is in any of grades 7 to 12 is counted as 1.3 pupil units.

(h) A pupil who is in the postsecondary enrollment options program is counted as 1.3 pupil units.

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2008.

Sec. 3. **REPEALER.**

Minnesota Statutes 2006, section 126C.10, subdivisions 31a and 31b, are repealed.

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2008."

Amend the title as follows:

Page 1, line 2, delete "high five kindergarten" and insert "prekindergarten"

Correct the title numbers accordingly

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Thissen from the Committee on Health and Human Services to which was referred:

H. F. No. 1405, A bill for an act relating to human services; allowing coverage of incidental nursing services under the elderly waiver; providing rate exceptions; increasing elderly waiver reimbursement rate limits; requiring a study and report; amending Minnesota Statutes 2006, section 256B.0915, subdivision 3e, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, after line 6 insert:

"Section 1. Minnesota Statutes 2006, section 256B.0911, subdivision 6, is amended to read:

Subd. 6. **Payment for long-term care consultation services.** (a) The total payment for each county must be paid monthly by certified nursing facilities in the county. The monthly amount to be paid by each nursing facility for each fiscal year must be determined by dividing the county's annual allocation for long-term care consultation services by 12 to determine the monthly payment and allocating the monthly payment to each nursing facility based on the number of licensed beds in the nursing facility. Payments to counties in which there is no certified nursing facility must be made by increasing the payment rate of the two facilities located nearest to the county seat.

(b) The commissioner shall include the total annual payment determined under paragraph (a) for each nursing facility reimbursed under section 256B.431 or 256B.434 according to section 256B.431, subdivision 2b, paragraph (g), or 256B.435. Facilities whose payments to one or more counties are more than three months in arrears shall have their long-term care consultation payments from the commissioner withheld, and the commissioner is authorized to send withheld amounts directly to affected counties.

(c) In the event of the layaway, delicensure and decertification, or removal from layaway of 25 percent or more of the beds in a facility, the commissioner may adjust the per diem payment amount in paragraph (b) and may adjust the monthly payment amount in paragraph (a). The effective date of an adjustment made under this paragraph shall be on or after the first day of the month following the effective date of the layaway, delicensure and decertification, or removal from layaway.

(d) Payments for long-term care consultation services are available to the county or counties to cover staff salaries and expenses to provide the services described in subdivision 1a. The county shall employ, or contract with other agencies to employ, within the limits of available funding, sufficient personnel to provide long-term care consultation services while meeting the state's long-term care outcomes and objectives as defined in section 256B.0917, subdivision 1. The county shall be accountable for meeting local objectives as approved by the commissioner in the biennial home and community-based services quality assurance plan on a form provided by the commissioner.

(e) Notwithstanding section 256B.0641, overpayments attributable to payment of the screening costs under the medical assistance program may not be recovered from a facility.

(f) The commissioner of human services shall amend the Minnesota medical assistance plan to include reimbursement for the local consultation teams.

(g) The county may bill, as case management services, assessments, support planning, and follow-along provided to persons determined to be eligible for case management under Minnesota health care programs. No individual or family member shall be charged for an initial assessment or initial support plan development provided under subdivision 3a or 3b."

Page 2, delete section 3

Page 3, line 8, before "by" insert "after consulting with counties."

Page 3, line 16, delete "and"

Page 3, line 17, delete "county" and insert "lead"

Page 3, line 21, delete the period and insert "; and"

Page 3, after line 21, insert:

"(3) options to fully fund the county responsibilities for long-term care consultations as required under section 256B.0911 in a manner that will sustain and support these responsibilities as a core county function to assist persons with long-term or chronic care needs in making long-term care decisions and selecting options that meet their needs and reflect their preferences, and to ensure the availability of, and access to, information and other types of assistance intended to prevent or delay certified nursing facility placements and to provide transition assistance after admission."

Renumber the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 3, delete "increasing elderly waiver" and insert "withholding long-term care consultation payments for certain facilities in arrears"

Page 1, line 4, delete everything before the first semicolon

Correct the title numbers accordingly

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Mariani from the Committee on E-12 Education to which was referred:

H. F. No. 1426, A bill for an act relating to education finance; creating an extended year kindergarten program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 124D.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Hilstrom from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 1429, A bill for an act relating to local government; permitting Meeker County EDA to increase its membership to nine members; amending Laws 1998, chapter 389, article 11, section 25, subdivision 1.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Otremba from the Committee on Agriculture, Rural Economies and Veterans Affairs to which was referred:

H. F. No. 1433, A bill for an act relating to agriculture; changing certain livestock compensation provisions; amending Minnesota Statutes 2006, sections 3.737, subdivision 1; 3.7371, subdivision 3.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Mariani from the Committee on E-12 Education to which was referred:

H. F. No. 1561, A bill for an act relating to education; establishing early intervention AYP grants; increasing the formula allowance; appropriating money; amending Minnesota Statutes 2006, sections 125A.56; 126C.10, by adding a subdivision.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Mahoney from the Committee on Biosciences and Emerging Technology to which was referred:

H. F. No. 1631, A bill for an act relating to bioscience and technology; establishing a bioscience business promotion and marketing program in the Department of Employment and Economic Development; appropriating money.

Reported the same back with the following amendments:

Page 1, line 17, delete "and" and insert "or"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Mahoney from the Committee on Biosciences and Emerging Technology to which was referred:

H. F. No. 1637, A bill for an act relating to economic development; establishing nanotechnology development fund program; requiring a report; appropriating money.

Reported the same back with the following amendments:

Page 1, delete lines 22 to 24 and insert "that has fewer than 50 employees; or"

Page 2, delete line 1

Page 2, line 3, after the semicolon, insert "and"

Page 2, line 6, delete the semicolon and insert a period

Page 2, delete lines 7 and 8

Page 3, after line 22, insert:

"(a) \$100,000 in fiscal year 2008 and \$100,000 in fiscal year 2009 are appropriated from the general fund to the commissioner of employment and economic development to coordinate and promote the nanotechnology development fund."

Page 3, line 23, delete "(a)" and insert "(b)"

Page 3, line 28, delete "(b)" and insert "(c)"

Page 3, line 32, delete "(c)" and insert "(d)"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Hilstrom from the Committee on Local Government and Metropolitan Affairs to which was referred:

S. F. No. 321, A bill for an act relating to state government; including independent nonprofit firefighting corporations for joint exercise of powers agreements; amending Minnesota Statutes 2006, section 471.59, subdivision 1.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Hilstrom from the Committee on Local Government and Metropolitan Affairs to which was referred:

S. F. No. 736, A bill for an act relating to local government; renaming the Metropolitan Intercounty Association; amending Minnesota Statutes 2006, sections 353.01, subdivision 6; 383D.48; 471.61, subdivision 1.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Pelowski from the Committee on Governmental Operations, Reform, Technology and Elections reported on the following appointment which had been referred to the committee by the Speaker:

CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD

TERRI H. ASHMORE

Reported the same back with the recommendation that the appointment be confirmed.

Pelowski moved that the report of the Committee on Governmental Operations, Reform, Technology and Elections relating to the appointment of Terri H. Ashmore to the Campaign Finance and Public Disclosure Board be adopted. The motion prevailed and the report was adopted.

CONFIRMATION

Pelowski moved that the House, having advised, do now consent to and confirm the appointment of Terri H. Ashmore, 54 Hilltop Lane, Saint Paul, Minnesota 55116, in the county of Ramsey, effective January 2, 2007, for a term expiring January 3, 2011. The motion prevailed and the appointment of Terri H. Ashmore was confirmed by the House.

Pelowski from the Committee on Governmental Operations, Reform, Technology and Elections reported on the following appointment which had been referred to the committee by the Speaker:

CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD

BOB MILBERT

Reported the same back with the recommendation that the appointment be confirmed.

Pelowski moved that the report of the Committee on Governmental Operations, Reform, Technology and Elections relating to the appointment of Bob Milbert to the Campaign Finance and Public Disclosure Board be adopted. The motion prevailed and the report was adopted.

CONFIRMATION

Pelowski moved that the House, having advised, do now consent to and confirm the appointment of Bob Milbert, 308 Deerwood Court, South Saint Paul, Minnesota 55075, in the county of Dakota, effective January 2, 2007, for a term expiring January 3, 2011. The motion prevailed and the appointment of Bob Milbert was confirmed by the House.

SECOND READING OF HOUSE BILLS

H. F. Nos. 111, 230, 415, 448, 475, 599, 633, 878, 881, 905, 1033, 1117, 1429 and 1433 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 60, 321 and 736 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Kahn, Bly, Abeler and Jaros introduced:

H. F. No. 1825, A bill for an act relating to health; increasing the penalty for smoking in a nonsmoking hotel room; providing for civil and criminal penalties; amending Minnesota Statutes 2006, section 327.742, subdivisions 2, 3, by adding subdivisions.

The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice.

Carlson, Mullery, Abeler, Brod and Fritz introduced:

H. F. No. 1826, A bill for an act relating to taxes; individual income; providing a credit for purchase or modification of vehicles to accommodate people with disabilities; proposing coding for new law in Minnesota Statutes, chapter 290.

The bill was read for the first time and referred to the Committee on Taxes.

Simon, Hilty, Thao, Winkler, Poppe, Walker, Mariani, Dominguez and Kahn introduced:

H. F. No. 1827, A bill for an act relating to elections; requiring certain voting materials to be printed in languages other than English; amending Minnesota Statutes 2006, section 204B.27, subdivisions 3, 11.

The bill was read for the first time and referred to the Committee on Governmental Operations, Reform, Technology and Elections.

Simon introduced:

H. F. No. 1828, A bill for an act relating to transportation; appropriating money for construction of interchange at Trunk Highway 7; authorizing sale of trunk highway bonds.

The bill was read for the first time and referred to the Committee on Finance.

Winkler and Simon introduced:

H. F. No. 1829, A bill for an act relating to transportation; appropriating money to reconstruct Trunk Highway 100; authorizing sale of trunk highway bonds.

The bill was read for the first time and referred to the Committee on Finance.

DeLaForest, by request, introduced:

H. F. No. 1830, A bill for an act relating to public safety; increasing the criminal penalty for criminal vehicular homicide committed by a person with a prior DWI offense; amending Minnesota Statutes 2006, section 609.21, subdivision 1.

The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice.

Thao, Huntley, Abeler and Thissen introduced:

H. F. No. 1831, A bill for an act relating to health; establishing a work group to study the provision of interpreter services to health care patients.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Urdahl introduced:

H. F. No. 1832, A bill for an act relating to education finance; authorizing a onetime grant for the Libre Academy sober school; appropriating money.

The bill was read for the first time and referred to the Committee on Finance.

Urdahl and Heidgerken introduced:

H. F. No. 1833, A bill for an act relating to capital investment; requiring certain lands to be acquired by a specific date; amending Laws 2005, chapter 20, article 1, section 7, subdivision 21.

The bill was read for the first time and referred to the Committee on Finance.

Wollschlager and Lieder introduced:

H. F. No. 1834, A bill for an act relating to taxation; allowing the Southeastern Minnesota Multicounty Housing and Redevelopment Authority and the Northwest Minnesota Multicounty Housing and Redevelopment Authority to levy certain taxes.

The bill was read for the first time and referred to the Committee on Taxes.

Peterson, A., introduced:

H. F. No. 1835, A bill for an act relating to energy; establishing wind energy conversion system loan guarantee program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 216C.

The bill was read for the first time and referred to the Committee on Finance.

Thissen introduced:

H. F. No. 1836, A bill for an act relating to human services; providing a nursing facility rate increase for the costs of code compliance; requiring reports; appropriating money; amending Minnesota Statutes 2006, section 256B.434, subdivision 4.

The bill was read for the first time and referred to the Committee on Finance.

Madore, Westrom, Clark, Bunn, Abeler and Otremba introduced:

H. F. No. 1837, A bill for an act relating to state government; appropriating money to support activities to help people with disabilities relocate from nursing facilities to community settings.

The bill was read for the first time and referred to the Committee on Finance.

Hosch introduced:

H. F. No. 1838, A bill for an act relating to agriculture; regulating certain pesticide applications; authorizing rulemaking; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 18B.

The bill was read for the first time and referred to the Committee on Agriculture, Rural Economies and Veterans Affairs.

Slawik introduced:

H. F. No. 1839, A bill for an act relating to human services; directing the commissioner to study child care provider standards; requiring reports; appropriating money.

The bill was read for the first time and referred to the Committee on Finance.

Abeler and Thissen introduced:

H. F. No. 1840, A bill for an act relating to human services; convening a work group on sober housing; requiring reports.

The bill was read for the first time and referred to the Housing Policy and Finance and Public Health Finance Division.

Simon, Smith, Paymar, Mullery, Clark, Kalin, Kranz, Madore, Tingelstad, Walker, Winkler, Tschumper, Lesch, Johnson, Sailer, Hilstrom, Holberg, Kohls, Dominguez, Olin, Liebling, Lillie and Bigham introduced:

H. F. No. 1841, A bill for an act relating to landlord and tenant; permitting victims of domestic abuse to terminate a lease in certain circumstances; proposing coding for new law in Minnesota Statutes, chapter 504B.

The bill was read for the first time and referred to the Housing Policy and Finance and Public Health Finance Division.

Clark and Moe introduced:

H. F. No. 1842, A bill for an act relating to health; providing for collection of certain data relating to environmental toxicity; amending Minnesota Statutes 2006, sections 13.3806, subdivision 14; 144.671.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Clark introduced:

H. F. No. 1843, A bill for an act relating to elections; prohibiting landlords from limiting posting of campaign material in window of tenant's residence; proposing coding for new law in Minnesota Statutes, chapter 211B.

The bill was read for the first time and referred to the Committee on Governmental Operations, Reform, Technology and Elections.

Walker, Rukavina, Ruth, Clark and Mahoney introduced:

H. F. No. 1844, A bill for an act relating to occupations; registration required for hair braiding; proposing coding for new law in Minnesota Statutes, chapter 154.

The bill was read for the first time and referred to the Committee on Commerce and Labor.

Severson, Hamilton, Gottwalt, Dettmer and Westrom introduced:

H. F. No. 1845, A bill for an act relating to the Minnesota Constitution by adding a section to article XIII; recognizing as marriage only a union between one man and one woman.

The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice.

Sviggum, Gottwalt, Dettmer and Westrom introduced:

H. F. No. 1846, A bill for an act proposing an amendment to the Minnesota Constitution by adding a section to article XIII; recognizing as marriage or its legal equivalent only a union between one man and one woman.

The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice.

Emmer introduced:

H. F. No. 1847, A bill for an act proposing an amendment to the Minnesota Constitution by adding a section to article XIII; recognizing as marriage or its legal equivalent only a union between one man and one woman.

The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice.

Mullery introduced:

H. F. No. 1848, A bill for an act relating to workers' compensation; requiring employers to pay for continued health coverage for injured workers; requiring employers to pay attorney fees in certain cases; amending Minnesota Statutes 2006, sections 176.021, subdivisions 1, 3; 176.081, subdivision 1.

The bill was read for the first time and referred to the Committee on Commerce and Labor.

Gottwalt, Thissen, Brod, Hosch and Finstad introduced:

H. F. No. 1849, A bill for an act relating to health; specifying criteria for valid prescriptions or drug orders; amending Minnesota Statutes 2006, section 151.37, subdivision 2.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Simon introduced:

H. F. No. 1850, A bill for an act relating to education finance; authorizing a grant for Minnesota Urban Debate League programs; appropriating money.

The bill was read for the first time and referred to the Committee on Finance.

Morgan, Madore and Mariani introduced:

H. F. No. 1851, A bill for an act relating to housing; appropriating money for the housing trust fund.

The bill was read for the first time and referred to the Committee on Finance.

Abeler and Davnie introduced:

H. F. No. 1852, A bill for an act relating to education; requiring school districts to report student achievement of locally developed academic standards; amending Minnesota Statutes 2006, section 120B.11, subdivision 5.

The bill was read for the first time and referred to the Committee on E-12 Education.

Benson; Swails; Peterson, S., and Fritz introduced:

H. F. No. 1853, A bill for an act relating to education; clarifying that reading instruction must support children with dyslexia and related language disorders; amending Minnesota Statutes 2006, sections 122A.06, subdivision 4; 122A.18, subdivisions 2a, 2b.

The bill was read for the first time and referred to the Committee on E-12 Education.

Lanning and Marquart introduced:

H. F. No. 1854, A bill for an act relating to liquor; regulating advertising; banning free drinks and other promotional tools of retailers; amending Minnesota Statutes 2006, section 340A.507, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 340A.

The bill was read for the first time and referred to the Committee on Commerce and Labor.

Huntley and Abeler introduced:

H. F. No. 1855, A bill for an act relating to health; requiring nonprofit hospitals and outpatient surgical centers to report on community benefits in a standard way; establishing a work group; amending Minnesota Statutes 2006, section 144.698, subdivision 1.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Huntley, Thissen and Abeler introduced:

H. F. No. 1856, A bill for an act relating to health; providing for universal health care coverage; requiring guaranteed issue of minimum coverage by all health plans; requiring individuals to have minimum health coverage; establishing the Minnesota Health Care Access Portal; extending dependent coverage of nonstudents to age 25; creating an income tax credit for health care costs; allowing deductions for health insurance premiums; eliminating the MinnesotaCare four-month uninsured requirement; authorizing medical home demonstration projects; promoting the adoption of electronic health information systems; establishing prevention and public health programs; requiring studies; appropriating money; amending Minnesota Statutes 2006, sections 62A.65, by adding a subdivision; 62E.02, subdivision 7; 62L.02, subdivision 11; 62Q.165; 120B.021, subdivision 1; 120B.023, subdivision 2; 120B.024; 256B.0625, subdivision 3b; 256L.07, subdivisions 1, 3; 290.01, subdivision 19b, as amended; 290.091, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 62Q; 121A; 290; repealing Minnesota Statutes 2006, sections 62A.301; 62A.65, subdivision 6.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Eken introduced:

H. F. No. 1857, A bill for an act relating to human services; appropriating money for a study and predesign of a Native American juvenile treatment center.

The bill was read for the first time and referred to the Committee on Finance.

Cornish, Paymar and Mullery introduced:

H. F. No. 1858, A bill for an act relating to public safety finance; appropriating money for peace officer training related to domestic violence no contact orders.

The bill was read for the first time and referred to the Committee on Finance.

Cornish, Paymar and Mullery introduced:

H. F. No. 1859, A bill for an act relating to judiciary finance; appropriating money for a uniform statewide no contact order form.

The bill was read for the first time and referred to the Committee on Finance.

Urdahl; Tingelstad; Wagenius; Peterson, N.; Jaros; Lanning and Kahn introduced:

H. F. No. 1860, A bill for an act relating to historic preservation; appropriating money.

The bill was read for the first time and referred to the Committee on Finance.

Urdahl; Lanning; Wagenius; Peterson, N.; Jaros; Tingelstad and Kahn introduced:

H. F. No. 1861, A bill for an act relating to historic preservation; creating a historical preservation revolving loan fund; appropriating money.

The bill was read for the first time and referred to the Committee on Finance.

Urdahl; Simpson; Gunther; Peterson, N.; Jaros; Tingelstad and Lanning introduced:

H. F. No. 1862, A bill for an act relating to the Minnesota Historical Society; appropriating money for a grant-in-aid program for county and local historical societies.

The bill was read for the first time and referred to the Committee on Finance.

Bunn and Thissen introduced:

H. F. No. 1863, A bill for an act relating to health; providing for the disclosure of health care payment information; amending Minnesota Statutes 2006, section 62J.81, subdivision 1; repealing Minnesota Statutes 2006, section 62J.052, subdivision 1.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Hilstrom and Cornish introduced:

H. F. No. 1864, A bill for an act relating to public safety; appropriating money for grants to supervised parenting time service providers.

The bill was read for the first time and referred to the Committee on Finance.

Poppe; Rukavina; Hilstrom; Greiling; Hilty; Clark; Nelson; Smith; Sertich; Anzelc; Murphy, E., and Mullery introduced:

H. F. No. 1865, A bill for an act relating to workers' compensation; requiring the commissioner of labor and industry to adopt rules regarding common carrier railroad employees; requiring a report; appropriating money.

The bill was read for the first time and referred to the Committee on Governmental Operations, Reform, Technology and Elections.

Hansen, Moe and Dill introduced:

H. F. No. 1866, A bill for an act relating to game and fish; adding legislative members to the Game and Fish Oversight Committee; amending Minnesota Statutes 2006, section 97A.055, subdivision 4b.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Hilstrom; Hornstein; Erhardt; Peterson, N.; Liedler; Kahn; Peterson, A.; Howes and Heidgerken introduced:

H. F. No. 1867, A bill for an act relating to motor vehicles; increasing vehicle registration taxes, title transaction fees, and driver's license fees; making technical and clarifying changes; amending Minnesota Statutes 2006, sections 168.013, subdivisions 1a, 1b, 1c, 1d, 1e, 1f, 1g, 1h, 18; 168A.29, subdivision 1; 171.06, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 168.

The bill was read for the first time and referred to the Committee on Finance.

Abeler, Dittrich, Hortman and Tingelstad introduced:

H. F. No. 1868, A bill for an act relating to education finance; indexing equalizing factors for the debt service and referendum equalization aid programs; amending Minnesota Statutes 2006, sections 123B.53, subdivisions 4, 5; 126C.01, by adding subdivisions; 126C.17, subdivision 6.

The bill was read for the first time and referred to the Committee on Finance.

Juhnke introduced:

H. F. No. 1869, A bill for an act relating to agriculture; establishing a food safety and defense task force; proposing coding for new law in Minnesota Statutes, chapter 28A.

The bill was read for the first time and referred to the Committee on Governmental Operations, Reform, Technology and Elections.

Thissen, Brod, Emmer, Huntley and Bunn introduced:

H. F. No. 1870, A bill for an act relating to insurance; requiring uniform processing of health plan claims; proposing coding for new law in Minnesota Statutes, chapter 62A.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Sviggum, DeLaForest, Kohls, Finstad, Smith, Gunther, Lanning, Tingelstad, Eastlund, Demmer, Severson, Simpson, Howes, Zellers, Abeler, Magnus, Westrom and Ozment introduced:

H. F. No. 1871, A bill for an act relating to health; limiting use of funds for state-sponsored health programs for funding abortions.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Thissen, Hilstrom and Berns introduced:

H. F. No. 1872, A bill for an act relating to Hennepin County; regulating conflicts of interest for certain Hennepin Healthcare System personnel; amending Minnesota Statutes 2006, section 383B.905, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Bunn, Huntley, Thissen and Abeler introduced:

H. F. No. 1873, A bill for an act relating to health; requiring annual reports on cost containment goals; establishing a medical expenditure review committee; establishing a health care transformation task force; modifying goals for universal coverage; requiring written hospital charity care policies; modifying performance payments for medical groups; requiring a payment reform plan; providing grants for community collaboratives; requiring a contract for nonprofit organization accountability; appropriating money; amending Minnesota Statutes 2006, sections 62J.04, subdivision 3; 62J.17, subdivision 6a, by adding a subdivision; 62Q.165, subdivisions 1, 2; 144.56, by adding a subdivision; 256.01, subdivision 2b; proposing coding for new law in Minnesota Statutes, chapter 62J.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Davnie, Hilstrom and Swails introduced:

H. F. No. 1874, A bill for an act relating to capital improvements; appropriating money for a green building innovation grant program for local governmental units; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Finance.

Huntley introduced:

H. F. No. 1875, A bill for an act relating to health; changing the public program volume factor for MERC from revenue to charges; amending Minnesota Statutes 2006, section 62J.692, subdivision 4.

The bill was read for the first time and referred to the Committee on Finance.

Hilstrom introduced:

H. F. No. 1876, A bill for an act relating to local government; amending certain annexation provisions; extending municipal boundary adjustment advisory task force; amending Minnesota Statutes 2006, sections 414.0325, subdivision 1b; 414.033, subdivisions 2, 13; Laws 2006, chapter 270, article 2, section 1; repealing Minnesota Statutes 2006, sections 414.031, subdivision 8; 414.0325, subdivision 4b; 414.033, subdivision 12; Laws 2006, chapter 270, article 2, section 8.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Tschumper introduced:

H. F. No. 1877, A bill for an act relating to agriculture; changing certain food license requirements; changing certain milk requirements; eliminating a requirement on sale of bulk tanks; clarifying certain penalties; amending Minnesota Statutes 2006, sections 28A.04, subdivision 1; 28A.06; 32.21, subdivision 4; 32.212; 32.394, subdivision 4; 32.415.

The bill was read for the first time and referred to the Committee on Agriculture, Rural Economies and Veterans Affairs.

Welti introduced:

H. F. No. 1878, A bill for an act relating to retirement; permitting Public Employees Retirement Association service credit purchase for community education employment.

The bill was read for the first time and referred to the Committee on Governmental Operations, Reform, Technology and Elections.

Laine, Marquart and Loeffler introduced:

H. F. No. 1879, A bill for an act relating to the city of Columbia Heights; authorizing creation of a tax increment financing district.

The bill was read for the first time and referred to the Committee on Taxes.

Swails, Dettmer, Slawik, McNamara, Bunn and Dean introduced:

H. F. No. 1880, A bill for an act relating to capital improvements; appropriating money for acquisition and development of Big Marine Park Reserve; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Finance.

Bigham introduced:

H. F. No. 1881, A bill for an act relating to local government aid; adding to the city base adjustment for certain cities; amending Minnesota Statutes 2006, section 477A.011, subdivision 36.

The bill was read for the first time and referred to the Committee on Taxes.

Hamilton introduced:

H. F. No. 1882, A bill for an act relating to higher education; authorizing a land-lease agreement between Minnesota State Colleges and Universities and the YMCA for construction of a YMCA facility on the Worthington campus.

The bill was read for the first time and referred to the Committee on Finance.

Bunn, Brod, Paulsen, Simon, Lenczewski, Dittrich, Marquart, Erhardt and Simpson introduced:

H. F. No. 1883, A bill for an act relating to taxation; amending the income and franchise tax apportionment formula; amending Minnesota Statutes 2006, section 290.191, subdivision 2.

The bill was read for the first time and referred to the Committee on Taxes.

Atkins, Paulsen, Brod, Moe, Carlson, Anzelc, Koenen, Knuth, Mullery, Erhardt, McNamara, Gunther, Lesch, Thao, Abeler, Eken, Scalze, Gardner, Hansen, Mariani, Demmer, Greiling and Kahn introduced:

H. F. No. 1884, A bill for an act relating to income tax; establishing the Minnesota Land Conservation Incentives Act of 2007; providing a credit for certain land donations; proposing coding for new law in Minnesota Statutes, chapters 84; 290.

The bill was read for the first time and referred to the Committee on Taxes.

Hansen; McNamara; Eken; Wagenius; Ozment; Knuth; Peterson, A.; Tingelstad; Scalze; Anzelc; Koenen; Cornish; Greiling; Sailer; Mariani and Moe introduced:

H. F. No. 1885, A bill for an act relating to natural resources; providing for emergency management of invasive species; appropriating money for invasive species management; amending Minnesota Statutes 2006, section 84D.02, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Peterson, A., introduced:

H. F. No. 1886, A bill for an act relating to education finance; establishing the greater Minnesota facilities aid grant program; establishing eligibility of school districts; defining the use of grant funds; creating a match requirement; creating criteria for qualification; establishing an application process; proposing coding for new law in Minnesota Statutes, chapter 126C.

The bill was read for the first time and referred to the Committee on Finance.

Slawik and Abeler introduced:

H. F. No. 1887, A bill for an act relating to education; providing for a hearing loss early education intervention coordinator; appropriating money; amending Minnesota Statutes 2006, section 125A.63, by adding a subdivision.

The bill was read for the first time and referred to the Committee on E-12 Education.

Dittrich; Dominguez; Scalze; Swails; Benson; Ruud; Madore; Ward; Masin; Tillberry; Carlson; Slocum; Simon; Peterson, S.; Knuth; Gardner; Abeler; Demmer; Dettmer; Gottwalt; Mariani; Haws; Anderson, S.; Garofalo; McFarlane; Heidgerken; Urdahl and Welti introduced:

H. F. No. 1888, A bill for an act relating to education; providing for 3R high schools and academic rigor; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 120B.

The bill was read for the first time and referred to the Committee on E-12 Education.

Urdahl, Juhnke, Morrow, Seifert, Jaros, Doty, Finstad and Koenen introduced:

H. F. No. 1889, A bill for an act relating to the Minnesota River Valley; establishing a study group to promote the historic, scenic, and natural features of the Minnesota River Valley area; proposing coding for new law in Minnesota Statutes, chapter 138.

The bill was read for the first time and referred to the Committee on Governmental Operations, Reform, Technology and Elections.

Kalin introduced:

H. F. No. 1890, A bill for an act relating to consumer protection; establishing minimum energy efficiency standards for certain products sold in Minnesota; proposing coding for new law as Minnesota Statutes, chapter 325O.

The bill was read for the first time and referred to the Energy Finance and Policy Division.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Madam Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 646 and 572.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 646, A bill for an act relating to education; prohibiting electronic and Internet intimidation and bullying; amending Minnesota Statutes 2006, section 121A.0695.

The bill was read for the first time and referred to the Committee on E-12 Education.

S. F. No. 572, A bill for an act relating to transportation; requiring commissioner of public safety to accept Federal Aviation Administration medical certificate for school bus driver physical exam; amending Minnesota Statutes 2006, section 171.321, subdivision 2.

The bill was read for the first time and referred to the Transportation Finance Division.

CONSENT CALENDAR

H. F. No. 472, A bill for an act relating to energy; extending eligibility period for certain renewable energy production incentives; amending Laws 2005, chapter 40, section 2, subdivision 4.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

| | | | | | |
|--------------|-----------|------------|------------|--------------|---------------|
| Abeler | Dill | Heidgerken | Lesch | Otremba | Slocum |
| Anderson, B. | Dittrich | Hilstrom | Liebling | Ozment | Smith |
| Anderson, S. | Dominguez | Hilty | Lieder | Paulsen | Solberg |
| Anzalc | Doty | Holberg | Lillie | Paymar | Sviggum |
| Atkins | Eastlund | Hoppe | Loeffler | Pelowski | Swails |
| Beard | Eken | Hornstein | Madore | Peppin | Thao |
| Benson | Emmer | Hortman | Magnus | Peterson, A. | Thissen |
| Berns | Erhardt | Hosch | Mahoney | Peterson, N. | Tillberry |
| Bigham | Erickson | Howes | Mariani | Peterson, S. | Tingelstad |
| Bly | Faust | Huntley | Marquart | Poppe | Tschumper |
| Brod | Finstad | Jaros | Masin | Rukavina | Urdahl |
| Brown | Fritz | Johnson | McFarlane | Ruth | Wagenius |
| Brynaert | Gardner | Juhnke | McNamara | Ruud | Walker |
| Bunn | Garofalo | Kahn | Moe | Sailer | Ward |
| Carlson | Gottwalt | Kalin | Morgan | Scalze | Wardlow |
| Clark | Greiling | Knuth | Morrow | Seifert | Welti |
| Cornish | Gunther | Koenen | Mullery | Sertich | Westrom |
| Davnie | Hackbarth | Kohls | Murphy, E. | Severson | Winkler |
| Dean | Hamilton | Kranz | Murphy, M. | Shimanski | Wollschlager |
| DeLaForest | Hansen | Laine | Nelson | Simon | Zellers |
| Demmer | Hausman | Lanning | Norton | Simpson | Spk. Kelliher |
| Dettmer | Haws | Lenczewski | Olin | Slawik | |

The bill was passed and its title agreed to.

H. F. No. 1200, A bill for an act relating to legislation; correcting erroneous, ambiguous, and omitted text and obsolete references; eliminating certain redundant, conflicting, and superseded provisions; making miscellaneous technical corrections to statutes and other laws; amending Minnesota Statutes 2006, sections 3.97, subdivision 2; 5.25, subdivisions 1, 3, 5; 5.29; 13.461, subdivision 1; 13.632, subdivision 1; 13.7931, subdivision 1; 13.871, by adding a subdivision; 17.81, subdivision 4; 37.21, subdivision 1; 47.61, subdivision 3; 85.054, subdivision 5; 115.55, subdivision 7; 115A.193; 115A.28, subdivision 2; 115A.9157, subdivision 5; 115A.97, subdivision 6; 115A.99, subdivision 2; 116L.03, subdivision 1; 116L.665, subdivision 1; 119A.03, subdivision 2; 119A.04, subdivision 1; 147.02, subdivision 1; 256.741, subdivision 1; 256J.68, subdivision 1; 273.032; 289A.42, subdivision 1; 296A.26; 297A.62, subdivision 1; 297A.70, subdivision 3; 297F.23; 323A.0901; 323A.0902; 336.9-334; 336B.01, subdivision 2; 340A.412, subdivision 4; 340A.414, subdivision 2; 347.06; 469.321, subdivision 1; 469.333, subdivision 2; 469.335; 469.336; 477A.014, subdivision 1; 504B.321, subdivision 1; 518A.40, subdivision 3; 523.24, subdivision 9; 611.27, subdivisions 13, 15; 611A.55, subdivisions 1, 2; 626.89, subdivision 1; 626.90, subdivision 7; Laws 2003, chapter 118, sections 28, as amended; 29, as amended; Laws 2005, First Special Session chapter 3, article 5, section 44, subdivision 1, as amended; Laws 2006, chapter 259, article 13, sections 7; 8; repealing Minnesota Statutes 2006, sections 1.33; 1.34; 1.35; 1.36; 1.37; 1.38; 1.39; 1.40; 13.319, subdivision 2; 60A.13, subdivision 4a; 92.67, subdivision 1a; 115A.055, subdivision 2; 115A.545; 115A.9157, subdivision 4; 116O.091, subdivision 7; 135A.153, subdivision 5; 148B.55; 273.1398, subdivisions 4a, 4c; 383E.40; 383E.41; 383E.42; 383E.43; 383E.44; 383E.45; 383E.46; 383E.47; 383E.48; 383E.49; 477A.011, subdivision 28; 611A.201, subdivision 3; Laws 2004, chapter 206, section 8; Laws 2005, chapter 136, article 3, section 22; Laws 2005, First Special Session chapter 8, article 1, section 23; article 10, section 6; Laws 2006, chapter 236, article 1, section 2; Laws 2006, chapter 253, section 5; Laws 2006, chapter 258, section 37; Laws 2006, chapter 260, article 5, section 43; Laws 2006, chapter 263, article 3, section 13; Laws 2006, chapter 271, article 8, section 3.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 3 nays as follows:

Those who voted in the affirmative were:

| | | | | | |
|--------------|------------|------------|------------|--------------|---------------|
| Abeler | Dill | Holberg | Lillie | Paymar | Sviggum |
| Anderson, B. | Dittrich | Hoppe | Loeffler | Pelowski | Swails |
| Anderson, S. | Dominguez | Hornstein | Madore | Peppin | Thao |
| Anzelc | Doty | Hortman | Magnus | Peterson, A. | Thissen |
| Atkins | Eastlund | Hosch | Mahoney | Peterson, N. | Tillberry |
| Beard | Eken | Howes | Mariani | Peterson, S. | Tingelstad |
| Benson | Erhardt | Huntley | Marquart | Poppe | Tschumper |
| Berns | Faust | Jaros | Masin | Rukavina | Urdahl |
| Bigham | Fritz | Johnson | McFarlane | Ruth | Wagenius |
| Bly | Gardner | Juhnke | McNamara | Ruud | Walker |
| Brod | Garofalo | Kahn | Moe | Sailer | Ward |
| Brown | Gottwalt | Kalin | Morgan | Scalze | Wardlow |
| Brynaert | Greiling | Knuth | Morrow | Seifert | Welti |
| Bunn | Gunther | Koenen | Mullery | Sertich | Westrom |
| Carlson | Hackbarth | Kohls | Murphy, E. | Severson | Winkler |
| Clark | Hamilton | Kranz | Murphy, M. | Shimanski | Wollschlager |
| Cornish | Hansen | Laine | Nelson | Simon | Zellers |
| Davnie | Hausman | Lanning | Norton | Simpson | Spk. Kelliher |
| Dean | Haws | Lenczewski | Olin | Slawik | |
| DeLaForest | Heidgerken | Lesch | Otremba | Slocum | |
| Demmer | Hilstrom | Liebling | Ozment | Smith | |
| Dettmer | Hilty | Lieder | Paulsen | Solberg | |

Those who voted in the negative were:

| | | |
|-------|----------|---------|
| Emmer | Erickson | Finstad |
|-------|----------|---------|

The bill was passed and its title agreed to.

REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Sertich from the Committee on Rules and Legislative Administration, pursuant to rule 1.21, designated the following bill to be placed on the Calendar for the Day for Thursday, March 8, 2007:

H. F. No. 203.

CALENDAR FOR THE DAY

Sertich moved that the Calendar for the Day be continued. The motion prevailed.

MOTIONS AND RESOLUTIONS

Erhardt moved that the name of Koenen be added as an author on H. F. No. 23. The motion prevailed.

Sailer moved that the name of Olin be added as an author on H. F. No. 104. The motion prevailed.

Bigham moved that the name of Liebling be added as an author on H. F. No. 155. The motion prevailed.

Cornish moved that the names of Koenen, Howes, Holberg, Garofalo, Ruth, Peppin and Hosch be added as authors on H. F. No. 498. The motion prevailed.

Hilstrom moved that the name of Gardner be added as an author on H. F. No. 505. The motion prevailed.

Heidgerken moved that the name of Koenen be added as an author on H. F. No. 568. The motion prevailed.

Hackbarth moved that the names of Koenen, Eastlund, Dettmer and Gottwalt be added as authors on H. F. No. 775. The motion prevailed.

Morrow moved that the name of Koenen be added as an author on H. F. No. 825. The motion prevailed.

Brown moved that the name of Lanning be added as an author on H. F. No. 833. The motion prevailed.

Hortman moved that the name of Paymar be added as an author on H. F. No. 863. The motion prevailed.

Kranz moved that the name of Kahn be added as an author on H. F. No. 939. The motion prevailed.

Ruth moved that the name of Westrom be added as an author on H. F. No. 964. The motion prevailed.

Slawik moved that the name of Lanning be added as an author on H. F. No. 976. The motion prevailed.

Brod moved that the name of Morrow be added as an author on H. F. No. 1017. The motion prevailed.

Slawik moved that the name of Lillie be added as an author on H. F. No. 1023. The motion prevailed.

Abeler moved that the name of Swails be added as an author on H. F. No. 1041. The motion prevailed.

Urdahl moved that the name of Dettmer be added as an author on H. F. No. 1057. The motion prevailed.

Thao moved that the name of Mullery be added as an author on H. F. No. 1148. The motion prevailed.

Atkins moved that the name of McNamara be added as an author on H. F. No. 1514. The motion prevailed.

Bigham moved that the name of McNamara be added as an author on H. F. No. 1523. The motion prevailed.

Lesch moved that the name of Tillberry be added as an author on H. F. No. 1543. The motion prevailed.

Haws moved that the name of Wardlow be added as an author on H. F. No. 1631. The motion prevailed.

Beard moved that the name of Wardlow be added as an author on H. F. No. 1637. The motion prevailed.

Gottwalt moved that the name of Wardlow be added as an author on H. F. No. 1648. The motion prevailed.

Dettmer moved that the name of Wardlow be added as an author on H. F. No. 1657. The motion prevailed.

Peppin moved that the name of Hackbarth be added as an author on H. F. No. 1740. The motion prevailed.

Davnie moved that the name of Wardlow be added as an author on H. F. No. 1747. The motion prevailed.

Hansen moved that the names of Atkins, Mariani and Johnson be added as authors on H. F. No. 1750. The motion prevailed.

Juhnke moved that the name of Wardlow be added as an author on H. F. No. 1763. The motion prevailed.

Haws moved that the name of Wardlow be added as an author on H. F. No. 1771. The motion prevailed.

Hansen moved that the name of Juhnke be added as an author on H. F. No. 1786. The motion prevailed.

Murphy, M., moved that the name of Ward be added as an author on H. F. No. 1819. The motion prevailed.

Kranz moved that H. F. No. 1802 be recalled from the Committee on E-12 Education and be re-referred to the Committee on Finance. The motion prevailed.

MOTION TO FIX TIME TO CONVENE

Sertich moved that when the House adjourns today it adjourn until 12:30 p.m., Monday, March 12, 2007. The motion prevailed.

Sertich moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

Abeler, Holberg, Kohls, Kranz and Peterson, N., were excused for the remainder of today's session.

Lenczewski was excused between the hours of 6:00 p.m. and 7:50 p.m.

There being no objection, the order of business reverted to Reports of Standing Committees and Divisions.

REPORTS OF STANDING COMMITTEES AND DIVISIONS

Eken from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 375, A bill for an act relating to the environment; enacting Global Warming Mitigation Act; setting goals and requiring plan to reduce greenhouse gas emissions; requiring Public Utilities Commission to consider greenhouse gas emissions in generation resource acquisitions; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 216H.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **[216H.001] FINDINGS; CITATION.**

(a) The legislature finds that the state has a vital interest in preventing or mitigating harms associated with global warming and in reducing Minnesota's greenhouse gas emissions. The legislature recognizes that substantial reductions in emissions of greenhouse gases are necessary to avoid dangerous climate changes in the future. The legislature finds that taking steps to reduce Minnesota's greenhouse gas emissions today and planning for long-term reductions will reduce the need for more disruptive emission reductions later, and that to achieve the purposes of this act, all emissions associated with electricity generated or consumed within the state must be subject to the state's emissions-reduction goals. The legislature further finds that Minnesota's economy will benefit by showing leadership in the transition away from climate-damaging technologies and toward renewable power, biofuels, and energy efficiency. The legislature recognizes that achieving these ends will only occur by close cooperation with other states and may require the state to enter into binding agreements with other units of government.

(b) This chapter may be referred to as the Global Warming Mitigation Act of 2007.

Sec. 2. **[216H.01] DEFINITIONS.**

Subdivision 1. **Scope.** For the purposes of this chapter, the terms defined in this section have the meanings given them.

Subd. 2. **Allowance.** "Allowance" means limited authorization from a state regulatory agency to emit up to one ton of carbon dioxide or carbon dioxide equivalent into the atmosphere. This limited authorization does not constitute a property right.

Subd. 3. **Cap and trade system.** "Cap and trade system" means a regulatory system that imposes a limit on the aggregate air pollutant emissions of a group of sources, requires those subject to the cap to own an allowance for each ton of the air pollutant emitted, and allows for market-based trading of those allowances.

Subd. 4. **Carbon dioxide equivalent.** "Carbon dioxide equivalent" means the quantity of a given greenhouse gas multiplied by its global warming potential.

Subd. 5. **Global warming potential.** "Global warming potential" means a measure of the radiative efficiency or heat-absorbing ability of a particular gas relative to that of carbon dioxide after taking into account the decay rate of each gas, that is, the amount removed from the atmosphere over a given number of years, relative to that of carbon dioxide.

Subd. 6. **Greenhouse gas emissions source.** "Greenhouse gas emissions source" means any anthropogenic physical unit or process that releases greenhouse gases into the atmosphere.

Subd. 7. **Greenhouse gases.** "Greenhouse gases" include carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride or any other chemical that is determined by the Pollution Control Agency to contribute comparably to global climate change and that is emitted by anthropogenic sources.

Subd. 8. **New large energy facility.** "New large energy facility" means a large energy facility as defined in section 216B.2421 that is not in operation as of January 1, 2007.

Subd. 9. **Person.** "Person" has the meaning given in section 216E.01.

Subd. 10. **Statewide greenhouse gas emissions.** "Statewide greenhouse gas emissions" means the total annual emissions of greenhouse gases within the state and all emissions of greenhouse gases from the generation of electricity imported from outside the state and consumed in Minnesota. Emissions associated with transmission and distribution line losses are included in this definition. Statewide emissions are expressed in tons of carbon dioxide equivalent. Carbon dioxide that is injected into geological formations to prevent its release to the atmosphere in compliance with applicable laws, and emissions associated with the combustion of fuels other than coal, petroleum, and natural gas are not counted as contributing to statewide greenhouse gas emissions.

Subd. 11. **Statewide power sector carbon dioxide emissions.** "Statewide power sector carbon dioxide emissions" means the total annual emissions of carbon dioxide from the generation of electricity within the state and all emissions of carbon dioxide from the generation of electricity imported from outside the state and consumed in Minnesota. Emissions associated with transmission and distribution line losses are included in this definition. Carbon dioxide that is injected into geological formations to prevent its release to the atmosphere in compliance with applicable laws, and emissions associated with the combustion of fuels other than coal, petroleum, and natural gas are not counted as contributing to statewide power sector carbon dioxide emissions.

Sec. 3. **[216H.02] GREENHOUSE GAS EMISSIONS-REDUCTION GOALS.**

It is the state's goal to reduce statewide greenhouse gas emissions to a level at least 15 percent below 2005 emission levels by 2015, to a level at least 30 percent below 2005 emission levels by 2025, and to a level at least 80 percent below 2005 emission levels by 2050.

Sec. 4. **[216H.04] GREENHOUSE GAS EMISSIONS-REDUCTION PLAN.**

Subdivision 1. **Plan for achieving reductions.** (a) By February 1, 2008, the commissioners of the Pollution Control Agency and the Department of Commerce shall submit a plan to the chairs of the senate and house of representatives committees with jurisdiction over energy and environmental policy that contains recommendations on how best to achieve the statewide greenhouse gas emissions-reduction goals established under section 216H.02. The plan must also identify how best to reduce statewide greenhouse gas emissions to a level at least 45 percent below 2005 levels by 2025. The plan must identify, develop, and integrate a full range of greenhouse gas emissions-reduction activities across all economic sectors, regions, and energy uses in the state, and estimate the costs and benefits of each action. The plan must:

(1) estimate statewide greenhouse gas emissions for 2005 and make projections of statewide greenhouse gas emissions for 2015, 2025, and 2050;

(2) estimate the statewide greenhouse gas emissions reductions anticipated from implementation of existing state policies;

(3) include a cap and trade system as described in subdivision 3;

(4) recommend additional policies to achieve statewide greenhouse gas emissions-reduction goals;

(5) include provisions that will ensure that existing policies are evaluated, and that at least every five years any policy changes needed to achieve the statewide greenhouse gas emissions-reduction goals are developed and recommended for legislative action;

(6) recommend a system to require the reporting of statewide greenhouse gas emissions, identifying which facilities must report, how emission estimates should be made, and other reporting requirements that will ensure the collection of emissions information needed to reliably document statewide greenhouse gas emission levels and implement the plan; and

(7) evaluate the option of exempting a project from the prohibitions contained in section 126H.05, subdivision 1, if the project contributes a specified fee per ton of carbon dioxide emissions emitted annually by the project, the proceeds of which would be used to fund permanent, quantifiable, verifiable, and enforceable reductions in greenhouse gas emissions that would not otherwise have occurred.

(b) In formulating the plan, the commissioners shall consider the broadest possible set of mechanisms to reduce emissions, including, but not limited to, expanding the electric sector cap and trade system established under subdivision 3 to include emissions sources other than electricity generation and greenhouse gases other than carbon dioxide; scheduling reductions of the emissions cap; imposing greenhouse gas taxes, fines, and other penalties; adopting emissions-reduction performance standards for sources of greenhouse gases; establishing financial or other incentives to promote activities that will reduce greenhouse gases; and enhancing existing policies that have the effect of lowering greenhouse gas emissions.

Subd. 2. **Planning process.** The plan required under subdivision 1 must be developed through a structured, broadly inclusive stakeholder-based review of potential policies and initiatives that can be implemented in Minnesota to reduce greenhouse gas emissions. The stakeholder-based review process must be conducted by a nationally recognized independent expert entity. The commissioner of commerce shall coordinate executive branch participation with this stakeholder process.

Subd. 3. **Cap and trade system.** (a) The plan must include a cap and trade system incorporating, at a minimum, statewide power sector carbon dioxide emissions. The cap and trade plan must:

(1) set an emissions cap at an initial level to prevent significant increases in statewide greenhouse gas emissions above current levels, with a schedule for lowering the cap periodically to help meet the state's emissions-reduction targets;

(2) maximize Minnesota's ability to enter into allowance trading relationships with other states that have established or are in the process of establishing a cap and trade system regulating greenhouse gas emissions;

(3) evaluate the feasibility of implementing a cap and trade system that does not encompass the entire United States, and identify the impacts on the efficiency and effectiveness of the cap and trade system if restricted to Minnesota alone, if expanded to include surrounding midwestern states, and if Minnesota were to join the system comprised of California and the seven states participating in the Regional Greenhouse Gas Initiative that are planning to implement a cap and trade system;

(4) evaluate whether and to what extent a party subject to the cap should receive credit for offsetting emissions by implementing projects that reduce greenhouse gas emissions from sources not subject to the cap or absorb and sequester greenhouse gases from the atmosphere;

(5) include methods to ensure that all emissions reductions associated with projects listed in clause (4) are permanent, quantifiable, verifiable, enforceable, and would not have otherwise occurred;

(6) be designed to ensure that the proceeds from auctioning allowances are used to benefit the public, including to help meet the state's emissions-reduction goals in the most efficient and least disruptive way;

(7) estimate likely allowance prices under various scenarios, including the impact on allowance prices of constructing additional power plants subject to the cap and trade system;

(8) recommend ways to minimize any rate impacts on energy consumers;

(9) suggest procedures to award appropriate credit to entities that have voluntarily reduced their greenhouse gas emissions prior to implementation of the cap and trade system;

(10) ensure to the extent practicable that emissions reductions made in this state do not cause emissions increases outside the state;

(11) identify technologies and industries likely to thrive in a carbon-constrained future;

(12) maximize economic development in rural areas from the development of renewable energy sources and proven terrestrial sequestration practices; and

(13) suggest methods to calculate carbon dioxide emissions associated with electricity imported from outside the state.

Subd. 4. **Regional activities.** It shall be an executive branch responsibility to work with other states in the midwest region to develop and implement a regional approach to reducing greenhouse gas emissions from activities in the region, including consulting on expanding the cap and trade system described in subdivision 3. The commissioner of commerce shall coordinate Minnesota's regional activities under this subdivision and report to the legislative committees in the senate and house of representatives with jurisdiction over energy and environmental policy by February 1, 2008, and February 1, 2009, on the progress made and recommendations for further action.

Sec. 5. [216H.05] NO LONG-TERM INCREASE FROM POWER PLANTS.

Subdivision 1. **Long-term increased emissions from power plants prohibited.** Until the cap and trade system described in section 216H.04, subdivision 3, is fully implemented, and except as allowed in subdivision 2, no person shall:

(1) construct within the state a new large energy facility that would contribute to statewide power sector carbon dioxide emissions;

(2) import or commit to import from outside the state power from a new large energy facility that would contribute to statewide power sector carbon dioxide emissions; or

(3) enter into a new long-term power purchase agreement that would contribute to statewide power sector carbon dioxide emissions. For purposes of this section, a long-term power purchase agreement means an agreement to purchase 50 megawatts of capacity or more for a term exceeding five years. This prohibition does not apply to an agreement in effect as of January 1, 2007, nor to the renewal of such an agreement.

Subd. 2. **Exception for facilities that offset emissions.** (a) The prohibitions in subdivision 1 do not apply if the project proponent demonstrates to the Public Utilities Commission's satisfaction that it will offset the new contribution to statewide power sector carbon dioxide emissions with a carbon dioxide reduction project identified in paragraph (b) and in compliance with paragraph (c).

(b) A project proponent may offset the new contribution to statewide power sector carbon dioxide emissions in either, or a combination of both, of the following ways:

(1) by reducing an existing facility's contribution to statewide power sector carbon dioxide emissions in an amount equal to or greater than the proposed new contribution to statewide power sector carbon dioxide emissions; or

(2) by purchasing carbon dioxide allowances from a state or group of states that has a mandatory carbon dioxide cap and trade system in place that produces verifiable emissions reductions.

(c) The Public Utilities Commission shall not find that a proposed carbon dioxide reduction project identified in paragraph (b) acceptably offsets a new contribution to statewide power sector carbon dioxide emissions unless the proposed offsets are permanent, quantifiable, verifiable, enforceable, and would not have otherwise occurred. Emissions that have been offset under this subdivision continue to be subject to the requirements of the cap and trade system described in section 216H.04, subdivision 3, when implemented.

Subd. 3. **Enforcement.** Whenever the commission or department determines that any person is violating or about to violate this section, it shall refer the matter to the attorney general who shall take appropriate legal action. This section may be enforced by the attorney general on the same basis as a law listed in section 8.31, subdivision 1.

Sec. 6. **[216H.06] GREENHOUSE GAS EMISSIONS CONSIDERATION IN RESOURCE PLANNING.**

By January 1, 2008, the Public Utilities Commission shall establish an estimate of the likely range of costs of future carbon dioxide regulation on electricity generation. The estimate must be used in all electricity generation resource acquisition proceedings. The estimates, and annual updates, must be made following informal proceedings that allow interested parties to submit comments.

Sec. 7. **[216H.07] ENFORCEABILITY.**

In addition to any other remedies provided by law, the failure to carry out any requirement established by or pursuant to this chapter shall be treated as a violation of an environmental standard and is enforceable under chapter 116B."

Amend the title as follows:

Page 1, line 5, delete "appropriating money;"

With the recommendation that when so amended the bill pass and be re-referred to the Energy Finance and Policy Division.

The report was adopted.

Pelowski from the Committee on Governmental Operations, Reform, Technology and Elections to which was referred:

H. F. No. 646, A bill for an act relating to elections; changing certain school district election provisions; eliminating an approval requirement for mail elections; authorizing certain school board primary elections; amending Minnesota Statutes 2006, sections 204B.46; 205A.03, subdivision 1; 205A.06, subdivision 1a; 205A.12, by adding a subdivision.

Reported the same back with the following amendments:

Page 2, line 21, after "with" insert "section 206.58."

With the recommendation that when so amended the bill pass.

The report was adopted.

Hilstrom from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 673, A bill for an act relating to transportation; requiring legislative authorization for certain Metropolitan Airports Commission agreements; amending Minnesota Statutes 2006, section 473.608, by adding a subdivision.

Reported the same back with the recommendation that the bill pass and be re-referred to the Transportation Finance Division.

The report was adopted.

Mariani from the Committee on E-12 Education to which was referred:

H. F. No. 752, A bill for an act relating to education; establishing a three-year pilot program to provide high school students with career and college counseling; exploring data collection, accountability, and reporting system options to evaluate the impact of career and counseling programs on subsequent school and work choices of high school graduates; establishing a research consortium; appropriating money.

Reported the same back with the following amendments:

Page 2, delete lines 6 to 9 and insert:

"(2) convene a meeting of school counselors, administrators, parents, and other interested site-based parties to develop a plan to establish and operate a career and college counseling center under clause (3);"

Page 2, line 11, delete "who" and insert "to work in partnership with school counselors to"

Page 2, line 12, after "visits" insert ", consistent with the plan developed under clause (2)"

Page 3, line 18, delete "higher education research institutions, facilitated by the"

Page 3, line 19, delete "commissioner of education," and insert "Minnesota public and private postsecondary institutions working with prekindergarten through grade 12 practitioners"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Mariani from the Committee on E-12 Education to which was referred:

H. F. No. 808, A bill for an act relating to education; providing for licensed student services personnel aid; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 124D.

Reported the same back with the following amendments:

Page 1, lines 15, 21, 22, and 24, after "salary" insert "and benefit"

Page 2, delete line 1, and insert "salary and benefit cost for the previous fiscal year. A district's adjusted salary and benefit cost for fiscal year 2008"

Page 2, lines 2, 3, 4, and 5, after "salary" insert "and benefit"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Mariani from the Committee on E-12 Education to which was referred:

H. F. No. 983, A bill for an act relating to education; establishing a three-year pilot project to transform high school education through academic and career-related curriculum developed jointly by college faculty, high school instructors, and business and industry advisors and offered through career academies at multiple high school locations throughout a designated region; appropriating money.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Mariani from the Committee on E-12 Education to which was referred:

H. F. No. 984, A bill for an act relating to education; reimbursing student ACT and SAT university and college entrance test fees; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 120B.

Reported the same back with the following amendments:

Page 1, delete lines 12 to 16 and insert:

"(b) A parent or guardian of a public or nonpublic high school student who is eligible to receive free and reduced price lunch may apply to the student's district of residence for reimbursement of the cost of up to two of the student's ACT and SAT test fees. The state shall provide state aid to a district in an amount sufficient to reimburse parents or guardians for the cost of test fees. The districts shall apply for the aid in a form and manner determined by the commissioner."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Hilstrom from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 1175, A bill for an act relating to state finance; modifying aircraft facilities state financing to allow flexibility in obtaining a new lessee for the facility; amending Minnesota Statutes 2006, sections 116R.02, subdivision 5; 116R.03; 116R.12, by adding a subdivision; repealing Minnesota Statutes 2006, sections 116R.02, subdivisions 3, 6, 7, 9; 116R.16.

Reported the same back with the following amendments:

Page 1, after line 7, insert:

"Section 1. Minnesota Statutes 2006, section 116R.01, subdivision 6, is amended to read:

Subd. 6. **Project.** "Project" means the facilities or any property described in section 116R.02, subdivision 5 ~~or 6, as applicable.~~

Sec. 2. Minnesota Statutes 2006, section 116R.02, subdivision 1, is amended to read:

Subdivision 1. **Sale authorization.** The commissioner of finance, upon the request of the governor, may issue and sell revenue bonds as provided under sections 116R.01 to ~~116R.16~~ 116R.15 in one or more series or issues for the purposes provided in this section in the aggregate principal amount of up to \$350,000,000, except for refunding bonds. Proceeds of the bonds and investment income on the proceeds are appropriated in the amounts and for the purposes specified in subdivisions ~~2, and 5, and 6~~ and section 116R.04.

Sec. 3. Minnesota Statutes 2006, section 116R.02, subdivision 2, is amended to read:

Subd. 2. **Loan, lease, and revenue agreements.** (a) The commissioner may loan the proceeds of the bonds, make other loans or enter into lease agreements or other revenue agreements for the ~~projects~~ project described in ~~subdivisions 5 and 6~~ subdivision 5. The commissioner may provide for servicing of the loans and agreements, the times they are payable and the amounts of payments, the amount of the loans and agreements, their security, and other terms, conditions, and provisions necessary or convenient in connection with them and may enter into all necessary contracts and security instruments in connection with them. The commissioner shall seek to obtain the best available terms and security for the loans or agreements. The terms and security must be reasonably determined by the commissioner to be adequate and of the kind and degree which would be required by an investment banking or other financial institution. The facilities described in ~~subdivisions 5 and 6~~ subdivision 5 must be pledged as collateral for the loans made and bonds issued under sections 116R.01 to ~~116R.16~~ 116R.15.

(b) To reduce the risk that state general funds will be needed to pay debt service on the state guaranteed bonds, the commissioner must require that the financing arrangements include a coverage test satisfactory to the commissioner so that the sum of the value of the assets and other security pledged to the payment of bonds or the rent due under any lease of the project and taken into account by the commissioner is no less than 125 percent of the difference between the outstanding state guaranteed bonds, and any cash collateral held in a debt service reserve account and pledged to the payment of principal and interest for the state guaranteed bonds and no other bonds. Assets and other security that may be taken into account include (1) net unencumbered value of the project and any collateral or third party guaranty, including a letter of credit, pledged or otherwise furnished by a user of the project or by a benefited airline company as security for the payment of rent, (2) bond proceeds, including earnings thereon, and (3) prepayments of rent, after making such adjustments the commissioner determines to be appropriate to take into account any outstanding bonds secured by a lien on the project or rent that is prior to the lien securing the state guaranteed bonds, but excluding any cash collateral deducted from the outstanding state guaranteed bonds in applying the coverage test. The commissioner may adopt the method of valuing the assets and other security as the commissioner determines to be appropriate, including valuation of the project at its original cost less depreciation.

Sec. 4. Minnesota Statutes 2006, section 116R.02, subdivision 4, is amended to read:

Subd. 4. **Security.** (a) If so provided in the commissioner's order or any indenture authorizing the applicable series of bonds, up to \$125,000,000 principal amount of bonds for the facility described in subdivision 5, ~~up to \$50,000,000 principal amount of bonds for the facility described in subdivision 6,~~ and any bonds issued to refund these bonds may be secured by either of the following methods:

(1) upon the occurrence of any deficiency in a debt service reserve fund for a series of bonds as provided in section 116R.13, subdivision 3, the commissioner shall issue and sell deficiency bonds in a principal amount not to exceed ~~(i) \$125,000,000 for facilities described in subdivision 5 and (ii) \$50,000,000 for the facilities described in subdivision 6;~~ or

(2) the bonds may be directly secured by a pledge of the full faith, credit, and taxing power of the state and issued as general obligation revenue bonds of the state in accordance with the Minnesota Constitution, article XI, sections 4 to 7. In no event may the security provided by this paragraph extend in whole or part to any series of bonds other than the initial series of bonds so secured and any series of bonds issued to refund these bonds.

Deficiency bonds and bonds issued under clause (2) must be issued in accordance with and subject to sections 16A.641, 16A.66, 16A.672, and 16A.675, except for section 16A.641, subdivision 5, except as otherwise provided in Laws 1991, chapter 350, article 1, and except that the bonds may be sold at public or private sale at a price or prices determined by the commissioner as provided in section 116R.13, subdivision 3.

(b) The commissioner may request St. Louis County to pay or secure payment of principal and interest due on up to \$12,600,000 principal amount of revenue bonds for the facility described in subdivision 5 ~~and principal and interest due on up to \$15,000,000 principal amount of revenue bonds for the facility described in subdivision 6.~~ At the request of the commissioner, St. Louis County shall, by resolution of its county board, unconditionally and irrevocably pledge as a general obligation, its full faith, credit, and taxing power to pay or secure payment of principal and interest due on the principal amount or amounts requested by the commissioner. The general obligation and pledge of St. Louis County are not subject to and shall not be taken into account for purposes of any debt limitation. A levy of taxes for the St. Louis County general obligation is not subject to and shall not be taken into account for purposes of any levy limitations. The general obligation and the bonds secured by the general obligation may be issued without an election. Except for sections 475.61 and 475.64, chapter 475 does not apply to the general obligation or to the bonds secured by the general obligation.

(c) The commissioner may request the city of Duluth to pay or secure payment of principal and interest due on up to \$47,600,000 principal amount of revenue bonds for the facility described in subdivision 5. At the request of the commissioner, the city of Duluth shall pledge specified revenues of the city, as provided in Laws 1991, chapter 350, article 1, section 24, to pay principal and interest due on the principal amount requested by the commissioner.

(d) Bonds and deficiency bonds issued under sections 116R.01 to ~~116R.16~~ 116R.15 and any indenture entered into in connection with the issuance of the bonds are not subject to section 16B.06."

Page 2, line 11, strike "116R.16" and insert "116R.15" and strike "116R.16," and insert "116R.15."

Page 2, line 15, strike "or 6"

Page 2, line 19, strike "116R.16" and insert "116R.15"

Page 2, line 30, strike "116R.16" and insert "116R.15"

Page 2, line 31, strike "116R.16" and insert "116R.15"

Page 3, after line 2, insert:

"Sec. 7. Minnesota Statutes 2006, section 116R.05, subdivision 2, is amended to read:

Subd. 2. **Sources of payment.** Except as otherwise provided for bonds issued under section 116R.02, subdivision 4, paragraph (a), the bonds and interest payable thereon are payable solely from the following sources and are irrevocably appropriated for that purpose, but only to the extent provided in the order or indenture authorizing or securing the bonds:

(1) revenues of any nature derived from the ownership, lease, operation, sale, foreclosure, or refinancing of a project described in section 116R.02, subdivision 5 ~~or 6~~;

(2) repayments of any loans made under sections 116R.01 to ~~116R.16~~ 116R.15;

(3) proceeds of any bonds or deficiency bonds;

(4) amounts in any account or accounts authorized by section 116R.11 or 116R.12;

(5) amounts paid by St. Louis County under its obligations referred to in section 116R.02, subdivision 4, and amounts paid under Laws 1991, chapter 350, article 1, section 24 or 25, for the payment of bonds or interest thereon;

(6) amounts payable under any insurance policy, guaranty, letter of credit, or other instrument securing the bonds;

(7) any other revenues which the commissioner may pledge but excluding state appropriations unless the appropriation was specifically designated for that purpose; and

(8) investment income on any of the sources specified in clauses (1) to (7).

Sec. 8. Minnesota Statutes 2006, section 116R.11, subdivision 1, is amended to read:

Subdivision 1. **Funds.** The commissioner or any trustee appointed by the commissioner under sections 116R.01 to ~~116R.16~~ 116R.15 shall establish and maintain an aircraft facilities fund for ~~each of the projects~~ the project described in section 116R.02, ~~subdivisions 5 and 6~~ subdivision 5. Except for amounts required by the commissioner to be deposited in a debt service account, proceeds of each issue of bonds authorized under section 116R.02, subdivision 1, must be deposited in a separate account, debt service reserve, or other account designated by the commissioner. Money in the account is appropriated to the commissioner. The commissioner or the owner of ~~each~~ the project described in section 116R.02, ~~subdivisions 5 and 6~~ subdivision 5, may withdraw proceeds of bonds for application to the appropriated purposes in the manner provided by order of the commissioner or in any indenture authorized by order of the commissioner. The commissioner may establish whatever accounts might be necessary to carry out sections 116R.01 to ~~116R.16~~ 116R.15. All deposits into and disbursements from accounts for the purposes and from the sources of revenue authorized by sections 116R.01 to ~~116R.16~~ 116R.15 and provided in an order of the commissioner or an indenture or other agreement authorized by the commissioner are appropriated for that purpose."

Page 3, after line 6, insert:

"Sec. 10. Minnesota Statutes 2006, section 272.01, subdivision 2, is amended to read:

Subd. 2. **Exempt property used by private entity for profit.** (a) When any real or personal property which is exempt from ad valorem taxes, and taxes in lieu thereof, is leased, loaned, or otherwise made available and used by a private individual, association, or corporation in connection with a business conducted for profit, there shall be imposed a tax, for the privilege of so using or possessing such real or personal property, in the same amount and to the same extent as though the lessee or user was the owner of such property.

(b) The tax imposed by this subdivision shall not apply to:

(1) property leased or used as a concession in or relative to the use in whole or part of a public park, market, fairgrounds, port authority, economic development authority established under chapter 469, municipal auditorium, municipal parking facility, municipal museum, or municipal stadium;

(2) property of an airport owned by a city, town, county, or group thereof which is:

(i) leased to or used by any person or entity including a fixed base operator; and

(ii) used as a hangar for the storage or repair of aircraft or to provide aviation goods, services, or facilities to the airport or general public;

the exception from taxation provided in this clause does not apply to:

(i) property located at an airport owned or operated by the Metropolitan Airports Commission or by a city of over 50,000 population according to the most recent federal census or such a city's airport authority; or

(ii) hangars leased by a private individual, association, or corporation in connection with a business conducted for profit other than an aviation-related business; ~~or~~

~~(iii) facilities leased by a private individual, association, or corporation in connection with a business for profit, that consists of a major jet engine repair facility financed, in whole or part, with the proceeds of state bonds and located in a tax increment financing district;~~

(3) property constituting or used as a public pedestrian ramp or concourse in connection with a public airport;

(4) property constituting or used as a passenger check-in area or ticket sale counter, boarding area, or luggage claim area in connection with a public airport but not the airports owned or operated by the Metropolitan Airports Commission or cities of over 50,000 population or an airport authority therein. Real estate owned by a municipality in connection with the operation of a public airport and leased or used for agricultural purposes is not exempt;

(5) property leased, loaned, or otherwise made available to a private individual, corporation, or association under a cooperative farming agreement made pursuant to section 97A.135; or

(6) property leased, loaned, or otherwise made available to a private individual, corporation, or association under section 272.68, subdivision 4.

(c) Taxes imposed by this subdivision are payable as in the case of personal property taxes and shall be assessed to the lessees or users of real or personal property in the same manner as taxes assessed to owners of real or personal property, except that such taxes shall not become a lien against the property. When due, the taxes shall constitute a debt due from the lessee or user to the state, township, city, county, and school district for which the taxes were assessed and shall be collected in the same manner as personal property taxes. If property subject to the tax imposed by this subdivision is leased or used jointly by two or more persons, each lessee or user shall be jointly and severally liable for payment of the tax.

(d) The tax on real property of the state or any of its political subdivisions that is leased by a private individual, association, or corporation and becomes taxable under this subdivision or other provision of law must be assessed and collected as a personal property assessment. The taxes do not become a lien against the real property.

Sec. 11. Minnesota Statutes 2006, section 290.06, subdivision 24, is amended to read:

Subd. 24. **Credit for job creation.** (a) A corporation that leases and operates a heavy maintenance base for aircraft that is owned by the state of Minnesota or one of its political subdivisions, ~~or an engine repair facility described in section 116R.02, subdivision 6, or both,~~ may take a credit against the tax due under this chapter.

(b) For the first taxable year when the facility has been in operation for at least three consecutive months, the credit is equal to \$5,000 multiplied by the number of persons employed by the corporation on a full-time basis at the facility on the last day of the taxable year, not to exceed the number of persons employed by the corporation on a full-time basis at the facility on the date 90 days before the last day of the taxable year. For each of the succeeding four taxable years, the credit is equal to \$5,000 multiplied by the number of persons employed by the corporation on a full-time basis at the facility on the last day of the taxable year, not to exceed the number of persons employed by the corporation on a full-time basis at the facility on the date 90 days before the last day of the taxable year.

(c) For the first taxable year in which the credit is allowed for the facility, the credit must not exceed 80 percent of the wages paid to or incurred for persons employed by the taxpayer at the facility during the taxable year. For the succeeding four taxable years, the credit must not exceed 20 percent of the wages paid to or incurred for persons employed by the taxpayer at the facility during the taxable year. For purposes of this section, "wages" has the meaning given under section 3121(b) of the Internal Revenue Code, except the limitation to the contribution and benefit base does not apply.

(d) If the credit provided under this subdivision exceeds the tax liability of the corporation for the taxable year, the excess amount of the credit may be carried over to each of the 20 taxable years succeeding the taxable year. The entire amount of the credit must be carried to the earliest taxable year to which the amount may be carried. The unused portion of the credit must be carried to the following taxable year. No credit may be carried to a taxable year more than 20 years after the taxable year in which the credit was earned.

(e) If an unused portion of the credit remains at the end of the carryover period under paragraph (d), the commissioner shall refund the unused portion to the taxpayer. The provisions of this paragraph do not apply if the corporation that earned the credit under this subdivision or a successor in interest to the corporation filed for bankruptcy protection.

Sec. 12. Minnesota Statutes 2006, section 297A.71, subdivision 10, is amended to read:

Subd. 10. **Aircraft heavy maintenance facility.** Materials, equipment, and supplies used or consumed in constructing a heavy maintenance facility for aircraft that is to be owned by the state of Minnesota or one of its political subdivisions and leased by an airline company, ~~or an aircraft engine repair facility described in section 116R.02, subdivision 6, are~~ is exempt. Except for equipment owned or leased by a contractor, all machinery, equipment, and tools necessary to the construction and equipping of that facility in order to provide those services are also exempt.

Sec. 13. Minnesota Statutes 2006, section 360.013, subdivision 39, is amended to read:

Subd. 39. **Airport.** "Airport" means any area of land or water, except a restricted landing area, which is designed for the landing and takeoff of aircraft, whether or not facilities are provided for the shelter, surfacing, or repair of aircraft, or for receiving or discharging passengers or cargo, and all appurtenant areas used or suitable for airport buildings or other airport facilities, ~~including facilities described in section 116R.02, subdivision 6,~~ and all appurtenant rights-of-way, whether heretofore or hereafter established. The operation and maintenance of airports is an essential public service.

Sec. 14. Minnesota Statutes 2006, section 360.032, subdivision 1, is amended to read:

Subdivision 1. **Acquisition.** Every municipality is hereby authorized, through its governing body, to acquire property, real or personal, for the purpose of establishing, constructing, and enlarging airports and other air navigation facilities and to acquire, establish, construct, enlarge, improve, maintain, equip, operate, and regulate such airports and other air navigation facilities and structures and other property incidental to their operation, either within or without the territorial limits of such municipality and within or without this state; to make, prior to any such acquisition, investigations, surveys, and plans; to construct, install, and maintain airport facilities for the servicing ~~and repair of aircraft and facilities authorized under section 116R.02, subdivision 6,~~ and for the comfort and accommodation of air travelers; and to purchase and sell equipment and supplies as an incident to the operation of its airport properties. It may not acquire, or take over any airport or other air navigation facility owned or controlled by any other municipality of the state without the consent of such municipality. It may use for airport purposes any available property that is now or may at any time hereafter be owned or controlled by it. Such air navigation facilities as are established on airports shall be supplementary to and coordinated in design and operation with those established and operated by the federal and state governments. It may assist other municipalities in the construction of approach roads leading to any airport or restricted landing area owned or controlled by it. ~~It may finance the facilities authorized under section 116R.02, subdivision 6, it may borrow from the state or otherwise arrange for financing of the facilities and for that purpose may exercise any powers vested in a municipality under sections 469.152 to 469.165.~~

Sec. 15. Minnesota Statutes 2006, section 360.038, subdivision 4, is amended to read:

Subd. 4. **Leased property.** To lease for a term not exceeding 30 years such airports, ~~or other air navigation facilities or facilities authorized under section 116R.02, subdivision 6,~~ or real property acquired or set apart for airport purposes, to private parties, any municipal or state government or the national government, or any department of either thereof, for operation; to lease or assign for a term not exceeding 99 years to private parties, any municipal or state government, or the national government, or any department of either thereof, for operation or use consistent with the purposes of sections 360.011 to 360.076, space, area, improvements, or equipment on such

airports; notwithstanding any other provisions in this subdivision, to lease ground area for a term not exceeding 99 years to private persons for the construction of structures which in its opinion are essential and necessary to serve aircraft, persons, and things engaged in or incidental to aeronautics, including but not limited to shops, hangars, offices, restaurants, hotels, motels, factories, storage space, and any and all other structures necessary or essential to and consistent with the purposes of sections 360.011 to 360.076, to sell any part of such airports, other air navigation facilities, or real property to any municipal or state government, or to the United States or any department or instrumentality thereof, for aeronautical purposes incidental thereto, and to confer the privileges of concessions of supplying upon its airports goods, commodities, things, services, and facilities; provided that in each case in so doing the public is not deprived of its rightful, equal, and uniform use thereof.

Sec. 16. **REVISOR'S INSTRUCTION.**

The revisor of statutes shall change "116R.01 to 116R.16" to "116R.01 to 116R.15" wherever it appears in Minnesota Statutes."

Renumber the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "modifying certain statutory provisions relating to aircraft facilities;"

Correct the title numbers accordingly

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Hilstrom from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 1437, A bill for an act relating to the Metropolitan Airports Commission; requiring the commission to meet in a neighborhood affected by airport noise; requiring advance notice of proposed annual budget; amending Minnesota Statutes 2006, sections 473.604, subdivision 5; 473.661, subdivision 1.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Mariani from the Committee on E-12 Education to which was referred:

H. F. No. 1559, A bill for an act relating to education; providing for master teacher training in economics and personal finance; appropriating money.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 646 and 1437 were read for the second time.

The Sergeant at Arms announced the arrival of the members of the Senate and they were escorted to the seats reserved for them at the front of the Chamber.

JOINT CONVENTION

The Speaker of the House, as President of the Joint Convention, called the Joint Convention to order.

Prayer was offered by the Reverend Paul Rogers, House Chaplain.

The roll being called, the following Senators answered to their names: Anderson, Bakk and Berglin.

Senator Pogemiller moved that further proceedings of the roll call be suspended. The motion prevailed and a quorum was declared present.

**REPORT FROM THE JOINT
LEGISLATIVE COMMITTEE**

March 1, 2007

Dear Majority Leader Pogemiller, Speaker Kelliher and Minority Leaders Senjem and Seifert:

Pursuant to Minnesota Statutes (2006) 137.0246, Subdivision 2, the Joint Legislative Committee established to consider the Governor's nominees for vacancies on the University of Minnesota Board of Regents met on Tuesday, February 27, 2007, from 6:30 p.m. to 9:15 p.m. Robert Vanasek, Chair of the Regent Candidate Advisory Council, described the process used by the Advisory Council to recommend 11 candidates to the Governor for possible nomination. Susan Heegaard, Director of the Office of Higher Education, described the process Governor Pawlenty used to nominate four candidates for the vacancies.

The Committee allowed all candidates who were recommended by the Advisory Council an opportunity to address the Committee and respond to questions. Eight candidates appeared in person, two candidates who had travel or health conflicts sent representatives to read their statements, and one candidate declined the invitation to appear before the Committee.

After hearing from all candidates, the Committee voted whether to recommend the four candidates who were nominated by the Governor for each open seat. Based on the votes of the Committee, we respectfully forward the following names to the Joint Convention of the Senate and House:

Linda Gross Cohen is recommended by the Committee for one of the two at-large seats.

The names of Peter Bell (candidate for the fifth district seat), Venora Mun-Ling Hung (candidate for the student at-large seat), and Cynthia L. Leshner (at-large seat) are forwarded to the Joint Convention without recommendation.

Respectfully submitted,

SENATOR SANDRA L. PAPPAS
Co-Chair of the Joint Legislative Committee

REPRESENTATIVE TOM RUKAVINA
Co-Chair of the Joint Legislative Committee

Representative Rukavina and Senator Pappas moved that the Report of the Joint Legislative Committee be adopted.

The motion prevailed and the report was adopted.

ELECTION OF BOARD OF REGENTS OF THE UNIVERSITY OF MINNESOTA

FIFTH CONGRESSIONAL DISTRICT REGENT

Pursuant to the Joint Rules of the Senate and House of Representatives the Joint Convention proceeded to elect a Regent from the Fifth Congressional District.

Venora Mun-Ling Hung was nominated by Senator Clark for the Fifth Congressional District Regent for a term of six years. The nomination was seconded by Representative Carlson.

Peter Bell was nominated by Representative Gunther for the Fifth Congressional District Regent for a term of six years. The nomination was seconded by Representative Beard.

There being no further nominations, the President declared nominations closed.

The Secretary called the roll.

116 members voted for Venora Mun-Ling Hung, Fifth Congressional District Regent, for a six year term as follows:

SENATE ROLL CALL

| | | | | | |
|----------|-----------|-------|----------------|----------|--------|
| Anderson | Betzold | Clark | Erickson Ropes | Koch | Larson |
| Bakk | Carlson | Cohen | Foley | Kubly | Lourey |
| Berglin | Chaudhary | Doll | Higgins | Langseth | Lynch |

| | | | | |
|-----------|----------------|---------|--------|------------|
| Marty | Olson, M. | Robling | Skoe | Tomassoni |
| Moua | Pappas | Saxhaug | Skogen | Torres Ray |
| Olseen | Pogemiller | Sheran | Sparks | Vickerman |
| Olson, G. | Prettner Solon | Sieben | Stumpf | |

HOUSE OF REPRESENTATIVES ROLL CALL

| | | | | | |
|-----------|----------|----------|------------|--------------|----------------|
| Anzelc | Doty | Johnson | Mariani | Pelowski | Thissen |
| Atkins | Eken | Juhnke | Marquart | Peterson, A. | Tillberry |
| Benson | Faust | Kahn | Masin | Peterson, S. | Tschumper |
| Bigham | Fritz | Kalin | Moe | Poppe | Walker |
| Bly | Gardner | Knuth | Morgan | Rukavina | Ward |
| Brown | Greiling | Koenen | Morrow | Ruud | Welti |
| Brynaert | Hansen | Laine | Mullery | Sailer | Winkler |
| Bunn | Hausman | Lesch | Murphy, E. | Scalze | Wollschlager |
| Carlson | Haws | Liebling | Murphy, M. | Sertich | Pres. Kelliher |
| Clark | Hilstrom | Lieder | Nelson | Simon | |
| Davnie | Hilty | Lillie | Norton | Slawik | |
| Dill | Hosch | Loeffler | Olin | Slocum | |
| Dittrich | Huntley | Madore | Otremba | Solberg | |
| Dominguez | Jaros | Mahoney | Paymar | Thao | |

68 members voted for Peter Bell, Fifth Congressional District Regent, for a six year term as follows:

SENATE ROLL CALL

| | | | | | |
|-----------|--------------|--------------|----------|----------|------------|
| Bonoff | Frederickson | Ingebrigtsen | Metzen | Rosen | Senjem |
| Dibble | Gerlach | Jungbauer | Michel | Rummel | Vandev eer |
| Dille | Gimse | Koering | Neuville | Saltzman | Wergin |
| Fischbach | Hann | Limmer | Pariseau | Scheid | Wiger |

HOUSE OF REPRESENTATIVES ROLL CALL

| | | | | | |
|--------------|----------|------------|-----------|------------|---------|
| Anderson, S. | Dettmer | Gunther | Magnus | Seifert | Urdahl |
| Beard | Eastlund | Hackbarth | McFarlane | Severson | Wardlow |
| Berns | Emmer | Hamilton | McNamara | Shimanski | Westrom |
| Brod | Erhardt | Heidgerken | Nornes | Simpson | Zellers |
| Cornish | Erickson | Hoppe | Ozment | Smith | |
| Dean | Finstad | Hortman | Paulsen | Sviggum | |
| DeLaForest | Garofalo | Howes | Peppin | Swails | |
| Demmer | Gottwalt | Lanning | Ruth | Tingelstad | |

Venora Mun-Ling Hung, having received a majority of the votes cast, was declared elected Fifth Congressional District Regent, for a term of six years.

Beard and Erhardt were excused for the remainder of today's session.

STUDENT AT-LARGE REGENT

Pursuant to the Joint Rules of the Senate and House of Representatives the Joint Convention proceeded to elect a Student At-Large Regent.

Maureen Cisneros was nominated by Representative Mariani for the Student At-Large Regent for a term of six years. The nomination was seconded by Senator Pappas.

Andy Post was nominated by Representative Seifert for the Student At-Large Regent for a term of six years.

There being no further nominations, the President declared nominations closed.

The Secretary called the roll.

131 members voted for Maureen Cisneros, Student At-Large Regent, for a six year term as follows:

SENATE ROLL CALL

| | | | | | |
|-----------|----------------|----------|----------------|---------|------------|
| Anderson | Cohen | Larson | Olson, G. | Saxhaug | Tomassoni |
| Bakk | Dibble | Lourey | Olson, M. | Scheid | Torres Ray |
| Berglin | Doll | Lynch | Pappas | Sheran | Vickerman |
| Betzold | Erickson Ropes | Marty | Pogemiller | Sieben | Wiger |
| Bonoff | Foley | Metzen | Prettner Solon | Skoe | |
| Carlson | Higgins | Moua | Robling | Skogen | |
| Chaudhary | Kubly | Neuville | Rummel | Sparks | |
| Clark | Langseth | Olseen | Saltzman | Stumpf | |

HOUSE OF REPRESENTATIVES ROLL CALL

| | | | | | |
|-----------|-----------|----------|------------|--------------|----------------|
| Anzelc | Doty | Huntley | Mahoney | Paymar | Swails |
| Atkins | Eken | Jaros | Mariani | Pelowski | Thao |
| Benson | Faust | Johnson | Marquart | Peterson, A. | Thissen |
| Bigham | Fritz | Juhnke | Masin | Peterson, S. | Tillberry |
| Bly | Gardner | Kahn | Moe | Poppe | Tschumper |
| Brod | Greiling | Kalin | Morgan | Rukavina | Wagenius |
| Brown | Hamilton | Knuth | Morrow | Ruud | Walker |
| Brynaert | Hansen | Koenen | Mullery | Sailer | Ward |
| Bunn | Hausman | Laine | Murphy, E. | Scalze | Welti |
| Carlson | Haws | Lesch | Murphy, M. | Sertich | Winkler |
| Clark | Hilstrom | Liebling | Nelson | Simon | Wollschlager |
| Davnie | Hilty | Lieder | Norton | Slawik | Pres. Kelliher |
| Dill | Hornstein | Lillie | Olin | Slocum | |
| Dittrich | Hortman | Loeffler | Otremba | Solberg | |
| Dominguez | Hosch | Madore | Ozment | Sviggum | |

50 members voted for Andy Post, Student At-Large Regent, for a six year term as follows:

SENATE ROLL CALL

| | | | | | |
|--------------|---------|--------------|----------|------------|--------|
| Dille | Gerlach | Ingebrigtsen | Limmer | Rosen | Wergin |
| Fischbach | Gimse | Koch | Michel | Senjem | |
| Frederickson | Hann | Koering | Pariseau | Vandev eer | |

HOUSE OF REPRESENTATIVES ROLL CALL

| | | | | | |
|--------------|----------|------------|-----------|------------|---------|
| Anderson, S. | Dettmer | Gunther | Magnus | Seifert | Urdahl |
| Berns | Emmer | Hackbarth | McFarlane | Severson | Wardlow |
| Cornish | Erickson | Heidgerken | McNamara | Shimanski | Westrom |
| Dean | Finstad | Hoppe | Nornes | Simpson | Zellers |
| DeLaForest | Garofalo | Howes | Peppin | Smith | |
| Demmer | Gottwalt | Lanning | Ruth | Tingelstad | |

Maureen Cisneros, having received a majority of the votes cast, was declared elected Student At-Large Regent, for a term of six years.

Ozment was excused for the remainder of today's session.

AT-LARGE REGENTS

Pursuant to the Joint Rules of the Senate and House of Representatives the Joint Convention proceeded to elect two At-Large Regents.

Linda Gross Cohen was nominated by the Joint Legislative Committee for the At-Large Regent for a term of six years. The nomination was seconded by Senator Bonoff and Representative Berns.

Dean Elton Johnson was nominated by Representative Murphy, M., for the At-Large Regent for a term of six years. The nomination was seconded by Senator Chaudhary.

Cynthia Leshar was nominated by Representative Ruth for the At-Large Regent for a term of six years. The nomination was seconded by Senator Koch.

There being no further nominations, the President declared nominations closed.

The Secretary called the roll.

161 members voted for Linda Gross Cohen, At-Large Regent, for a six year term as follows:

SENATE ROLL CALL

| | | | | | |
|-----------|----------------|----------|-----------|----------------|------------|
| Bakk | Erickson Ropes | Koch | Metzen | Pogemiller | Sieben |
| Bonoff | Fischbach | Koering | Michel | Prettner Solon | Skoe |
| Carlson | Foley | Kubly | Moua | Robling | Skogen |
| Chaudhary | Frederickson | Langseth | Neuville | Rosen | Stumpf |
| Clark | Gerlach | Larson | Olseen | Rummel | Tomassoni |
| Cohen | Gimse | Limmer | Olson, G. | Saxhaug | Torres Ray |
| Dibble | Hann | Lourey | Olson, M. | Scheid | Vickerman |
| Dille | Higgins | Lynch | Pappas | Senjem | Wergin |
| Doll | Ingebrigtsen | Marty | Pariseau | Sheran | |

HOUSE OF REPRESENTATIVES ROLL CALL

| | | | | | |
|--------------|-----------|------------|------------|--------------|----------------|
| Anderson, S. | Dittrich | Haws | Liebling | Norton | Slocum |
| Anzelc | Dominguez | Hilstrom | Lieder | Olin | Smith |
| Atkins | Doty | Hilty | Loeffler | Paulsen | Solberg |
| Benson | Eastlund | Hoppe | Madore | Peppin | Sviggum |
| Berns | Eken | Hornstein | Magnus | Peterson, A. | Swails |
| Bigham | Emmer | Hortman | Mariani | Peterson, S. | Tillberry |
| Bly | Erickson | Hosch | Marquart | Rukavina | Tingelstad |
| Brod | Faust | Howes | Masin | Ruth | Tschumper |
| Brown | Finstad | Huntley | McFarlane | Ruud | Wagenius |
| Brynaert | Fritz | Jaros | McNamara | Sailer | Walker |
| Bunn | Gardner | Johnson | Moe | Scalze | Ward |
| Carlson | Garofalo | Juhnke | Morgan | Seifert | Wardlow |
| Clark | Gottwalt | Kahn | Morrow | Sertich | Welti |
| Cornish | Greiling | Kalin | Mullery | Severson | Westrom |
| Davnie | Gunther | Koenen | Murphy, E. | Shimanski | Winkler |
| Demmer | Hamilton | Laine | Murphy, M. | Simon | Wollschlager |
| Dettmer | Hansen | Lanning | Nelson | Simpson | Zellers |
| Dill | Hausman | Lenczewski | Nornes | Slawik | Pres. Kelliher |

129 members voted for Dean Elton Johnson, At-Large Regent, for a six year term as follows:

SENATE ROLL CALL

| | | | | | |
|-----------|----------------|----------|----------------|--------|------------|
| Anderson | Cohen | Kubly | Olseen | Scheid | Tomassoni |
| Bakk | Dibble | Langseth | Olson, M. | Senjem | Torres Ray |
| Berglin | Dille | Larson | Pappas | Sheran | Vandever |
| Betzold | Erickson Ropes | Lourey | Pogemiller | Sieben | Vickerman |
| Bonoff | Foley | Lynch | Prettner Solon | Skoe | Wiger |
| Carlson | Frederickson | Marty | Rummel | Skogen | |
| Chaudhary | Higgins | Metzen | Saltzman | Sparks | |
| Clark | Koering | Moua | Saxhaug | Stumpf | |

HOUSE OF REPRESENTATIVES ROLL CALL

| | | | | | |
|-----------|------------|------------|------------|--------------|----------------|
| Anzelc | Doty | Howes | Lillie | Olin | Slocum |
| Atkins | Eken | Huntley | Loeffler | Otremba | Solberg |
| Benson | Faust | Jaros | Madore | Paymar | Swails |
| Bigham | Fritz | Johnson | Mahoney | Pelowski | Thao |
| Bly | Gardner | Juhnke | Mariani | Peterson, A. | Thissen |
| Brown | Greiling | Kahn | Marquart | Peterson, S. | Tillberry |
| Brynaert | Hansen | Kalin | Masin | Poppe | Tschumper |
| Bunn | Haws | Knuth | Moe | Rukavina | Wagenius |
| Carlson | Heidgerken | Koenen | Morgan | Ruud | Walker |
| Clark | Hilstrom | Laine | Morrow | Sailer | Ward |
| Davnie | Hilty | Lenczewski | Mullery | Scalze | Welti |
| Dill | Hornstein | Lesch | Murphy, E. | Sertich | Winkler |
| Dittrich | Hortman | Liebling | Murphy, M. | Simon | Wollschlager |
| Dominguez | Hosch | Lieder | Nelson | Slawik | Pres. Kelliher |

61 members voted for Cynthia Leshner, At-Large Regent, for a six year term as follows:

SENATE ROLL CALL

| | | | | |
|-----------|--------------|-----------|----------|----------|
| Anderson | Gimse | Limmer | Pariseau | Vandever |
| Doll | Hann | Michel | Robling | Wergin |
| Fischbach | Ingebrigtsen | Neuville | Rosen | Wiger |
| Gerlach | Koch | Olson, G. | Saltzman | |

HOUSE OF REPRESENTATIVES ROLL CALL

| | | | | | |
|--------------|----------|-----------|-----------|-----------|---------|
| Anderson, S. | Eastlund | Hackbarth | Lillie | Peppin | Smith |
| Berns | Emmer | Hamilton | Magnus | Poppe | Sviggum |
| Brod | Erickson | Hausman | Mahoney | Ruth | Thissen |
| Cornish | Finstad | Hoppe | McFarlane | Seifert | Urdahl |
| Dean | Garofalo | Knuth | McNamara | Severson | Wardlow |
| DeLaForest | Gottwalt | Lanning | Nornes | Shimanski | Westrom |
| Demmer | Gunther | Lesch | Paulsen | Simpson | Zellers |

Linda Gross Cohen and Dean Elton Johnson, having each received a majority of the votes cast, were declared elected At-Large Regents, for terms of six years.

DECLARATION OF ELECTION

Venora Mun-Ling Hung, Fifth Congressional District Regent, Six Years; Maureen Cisneros, Student At-Large Regent, Six Years; and Linda Gross Cohen and Dean Elton Johnson, At-Large Regents, Six Years; each having received a majority of the votes cast at the Joint Convention were declared by the President of the Joint Convention to be elected to the Board of Regents of the University of Minnesota.

Representative Sertich moved that the Joint Convention arise. The motion prevailed and the President declared the Joint Convention adjourned.

RECONVENED

The House reconvened and was called to order by the Speaker.

CERTIFICATION

March 8, 2007

To the Governor
State of Minnesota

To the Senate
State of Minnesota

To the House of Representatives
State of Minnesota

This is to certify that the House of Representatives and the Senate in Joint Convention on Thursday, March 8, 2007, have elected as members of the Board of Regents of the University of Minnesota the following members to hold office for the term specified for each to begin upon election by the Joint Convention:

Venora Mun-Ling Hung, Fifth Congressional District, Six Years
Maureen Cisneros, Student At-Large, Six Years
Linda Gross Cohen, At-Large, Six Years
Dean Elton Johnson, At-Large, Six Years

JAMES P. METZEN
President of the Senate

MARGARET ANDERSON KELLIHER
Speaker of the House of Representatives

ADJOURNMENT

Sertich moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 12:30 p.m., Monday, March 12, 2007.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives

